

BEST COPY
AVAILABLE



General Assembly

A

Distr.
GENERAL

A/AC.96/SR.502
28 February 1996

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-sixth session

SUMMARY RECORD OF THE 502nd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 17 October 1995, at 3 p.m.

Chairman:

Mr. MCHUMO

(United Republic
of Tanzania)

CONTENTS

General debate (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.95-03465 (E)

The meeting was called to order at 3.25 p.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. PATEL (Malawi) said that the voluntary repatriation of the Mozambican refugees in Malawi begun in November 1993 after the Rome Peace Agreement had been completed. The few small groups left in the country had become self-reliant and no longer required international protection or assistance. The Tripartite Commission of the Governments of Malawi and Mozambique, on the one hand, and UNHCR, on the other, was closely monitoring the transition phase and the cessation clauses would be safely applied as soon as all conditions had been met.
2. In a mammoth and successful programme like the one conducted in Malawi, a number of lessons were learnt. Although it was one of the poorest countries in the world, Malawi had accepted with open arms over 1 million Mozambican refugees. The hospitality which had been shown by the Malawians for over nine years had created a harmonious relationship between hosts and refugees and had also greatly facilitated the work of the international organizations. The Malawians' exemplary conduct was worth emulating, considering that many wealthier countries refused to accept refugees. Recognition should also be given to the UNHCR staff, whose efforts had been the key to the success of the programme.
3. When visiting Malawi in April, the Deputy High Commissioner for Refugees had confirmed UNHCR's intention to help the Government of Malawi rehabilitate the environment in the refugee-impacted areas. The land given to the refugees at great cost to the local population had been seriously degraded and more than 100,000 hectares had been deforested. Some of the land might even become irretrievable if steps were not taken immediately. The people in all the refugee-impacted areas were virtually unable to produce anything from the land, which had originally been the basis of their livelihood.
4. While applauding the assistance it received from friendly Governments and other agencies on general environmental problems, his Government drew their attention to the need to mobilize resources for direct and swift action on the impacted areas. The cost of an environmental rehabilitation programme for 12 districts that had hosted refugees had been evaluated and various projects had been prepared for donors to consider. While awaiting a favourable reaction, the Malawian Government hoped that UNHCR would continue the afforestation programme launched a few years before and that it would also continue to play a catalytic role in soliciting assistance for environmental rehabilitation projects. In that connection, his delegation had been deeply touched by the commitment made by the High Commissioner in her statement to the Executive Committee.
5. The Malawian authorities had learned from experience that when a large group of people fled from a war situation, there were often armed individuals among them. On learning that they would be returning home, some former Mozambican combatants had sold their weapons cheaply to Malawians. Those weapons were being used by unscrupulous Malawians to terrorize and rob people.

The problem was worsening. Unfortunately, that situation confirmed the position of certain Governments that refused to accept refugees, the international conventions notwithstanding.

6. As the international community celebrated the successful return of the Mozambican refugees to their home, Malawi was experiencing yet another kind of influx of asylum-seekers. The new arrivals numbered over 971 and the Government had opened a camp for them north-east of the capital. Among them were many Rwandan refugees who had been turned back at the borders of countries close to Rwanda. Malawi was a signatory to the various international instruments and it had always opened its doors to those fleeing persecution. But to help the international community punish the abhorrent acts of genocide in Rwanda, the Malawian Government had decided to study the cases of 45 Rwandan families currently in Malawi to establish the extent of their involvement in the horrendous acts committed in their country.

7. Lastly, his delegation noted with satisfaction the transition to democracy taking place in southern Africa. Once peace had come to Angola, the region would cease to be a refugee-producing region; he hoped it would then be viewed by the international community as an appropriate arena for investment and development. In conclusion, he condemned the deplorable attitude of certain Governments, which applied discriminatory policies to refugees. Refugees should be treated equally, whatever their race, sex or religion, especially with regard to resettlement.

8. Mr. BLAVO (Ghana) said that, in 1990, Ghana had for the first time experienced a large influx of refugees owing to the civil war in Liberia. Their number, originally 10,000, now stood at 15,000. In addition, generalized conflict in Togo in 1993 and 1994 and the consequent disruption of law and order had led a large number of Togolese refugees to seek refuge in Ghana. About 85,000 of them were currently being assisted by UNHCR, which had stood by Ghana in both emergencies. The Ghanaian Government was sincerely grateful. Refugees in Ghana generally lived in settlements. However, about 20,000 other refugees had spontaneously settled in various districts of the country without seeking UNHCR or government assistance.

9. In keeping with Ghana's obligations under the 1951 Convention relating to the Status of Refugees, all refugees in Ghana enjoyed freedom of movement within the country and freedom of association with nationals. They had access to public utilities and social services. They benefited in particular from subsidized health care and their children attended public schools. They had the opportunity to work and some headed small enterprises. However, despite the efforts being made in the income-generating sector, the number of beneficiaries remained small.

10. In 1992, the Government of Ghana had promulgated the Act governing Refugee Matters, which had established the Refugee Board under the auspices of the Ministry of the Interior. The Board had responsibility for all refugee matters in the country, including the granting of refugee status. In order to cooperate fully with NGOs, the Board needed to strengthen its institutional and personnel capacity. He appealed to UNHCR for assistance in that respect. Prospects for the repatriation of the refugees in Ghana were encouraging. For the Togolese refugees, that had been made possible by a number of

confidence-building measures, including the 1994 Amnesty Law and the Agreement of 12 August 1995 between the Government of Togo and UNHCR. Campaigns had begun in the refugee community to inform it of guarantees set out for their security and for material assistance for their rehabilitation.

11. Under the leadership of President Rawlings, who was also the current Chairman of the Economic Community of West African States, Ghana had played and continued to play a pivotal role in the peace-making process in Liberia. Those efforts had borne fruit with the conclusion of the Abuja Peace Agreement the previous August. Ghana therefore called on the international community and the States in the subregion to help the Liberian people achieve true and lasting peace, which would lessen the burden on all concerned and lead to the voluntary repatriation of Liberian refugees in Ghana and other neighbouring countries. A pledging conference for the reconstruction of Liberia was planned for Friday, 27 October 1995, at United Nations Headquarters in New York. He hoped that the Executive Committee would give full support to the High Commissioner in her search for the resources to reintegrate Liberian returnees.
12. Mr. KAMARA (Sierra Leone) said that positive developments in some African countries had made it possible for many refugees and displaced persons to return home. That was not the case in Sierra Leone, where the peace and conciliation initiatives being made by the United Nations, the Commonwealth Secretariat, the Organization of African Unity, the Economic Community of West African States and other organizations had not been welcomed with the same spirit of cooperation by all the parties involved.
13. Continued rebel activities in Sierra Leone had resulted in increased insecurity, reduced access to large areas of Sierra Leone, internal displacement of entire communities and separation of children from their families, with some coerced by the rebels into taking up arms. Although the conflict had sparked a refugee outflow of between 300,000 and 400,000 Sierra Leoneans to neighbouring Guinea and Liberia, the major preoccupation was the care and support of between 1.5 and 2 million internally displaced Sierra Leoneans. The International Committee of the Red Cross estimated that at least 30,000 civilians were living outside the urban centres, behind rebel lines in eastern Sierra Leone. The international community's seeming lack of interest towards those people, who were surviving only by the coping mechanisms of the local population, was a matter of great concern to Sierra Leoneans. Insecurity along the main roads of the country had made it impossible to supply humanitarian assistance beyond the western area, so that, of the 1 million people who had registered for food aid from WFP and CRS, only about 65 per cent were receiving food aid. At the end of July 1995, relief agencies had been able to reach only 12 per cent of their total case-load. Despite the promises, the response to the latest Consolidated Appeal by the Department of Humanitarian Affairs had been disappointing. His delegation therefore solemnly appealed to the Executive Committee for support in bringing the grave humanitarian situation in Sierra Leone to the attention of the international community.
14. Aware that, as long as the war continued, the possibility of repatriation would remain a dream, the National Provisional Ruling Council Government would use every available means to persuade the rebels to end the war. A number of

steps had already been taken to prepare for free elections. An Interim National Electoral Commission had been established. One of its first steps had been to convene a Consultative Conference, at which 15 political parties had registered for the parliamentary and presidential elections to be held in 1996. The ban on political activities had been lifted and he could safely say that the country was on the road to democracy.

15. Mr. MALUNGO (Angola), congratulating the staff of UNHCR on the very sensitive work it was doing in various parts of the world, said that his Government, in cooperation with UNDP, had organized a round table on 25 and 26 September 1995 in which the President of the Republic, Mr. dos Santos, and the President of UNITA, Mr. Savimbi, had taken part and at which a programme of community rehabilitation and national reconciliation had been submitted for the period 1996-1997. Thanks to generous support from the international community, the programme would aim at helping communities to resume food production, repair roads and other basic infrastructures and restore services such as drinking water supplies, primary health care and education.

16. The Angolan Government had also decided to give priority to settling the problem of the refugees' return. The number of persons involved was estimated to be 311,000, 83,000 of whom would be repatriated under the auspices of UNHCR. The repatriation programme would require financing of approximately \$44 million: \$7,160,000 for 1995, \$28,300,000 for 1996 and \$8,600,000 for 1997. Such an influx of refugees, which was inevitable because most of the people in question were experiencing hardships in their countries of asylum, would not be an easy matter, for most of the original regions were war-ravaged or infested with mines. Most of the refugee population would return home spontaneously and that trend was likely to intensify. For that reason, Angola joined UNHCR's appeal for the restoration of basic infrastructures and services and the establishment of conditions conducive to the refugees' return and reintegration.

17. In view of all those difficulties, Angola again appealed to the generosity of the international community in supporting the programme, for the country's political and economic stability would in large part depend on the success of the reintegration of the refugees, internally displaced persons and demobilized soldiers into society.

18. Mr. DEMBINSKI (Poland), endorsing the views expressed by the High Commissioner in her opening statement, said that providing protection to displaced persons in order to find long-term solutions, if possible in the country of origin, would certainly contribute to solving one of the most serious problems of the last decade of the twentieth century. The fact that the financial pledges made in 1994 had already been effectively met - an exceptional situation within the United Nations system - showed clearly that Member States approved of UNHCR's working methods and programmes.

19. Since 1991, when Poland had acceded to both the 1951 Convention and the 1967 Protocol, massive refugee emergencies had taken place throughout the world. During that period, Poland had not been affected by influxes of refugees, but the authorities had made a point of offering assistance and protection to refugees from the former Yugoslavia in 1992. Poland had also agreed to play a leading role in a working group entrusted with assistance in

the reconstruction of Bosnia and Herzegovina. Since acceding to the relevant international instruments, Poland has gradually been building the legal and institutional infrastructure required for their implementation. The new legislation, once in force, would provide the Polish authorities with a solid basis for dealing with any new refugee situation.

20. Finally, he expressed the satisfaction of his delegation and of the Polish authorities with their ongoing contacts and collaboration with UNHCR and its liaison office in Warsaw. He would like to see that cooperation strengthened, in particular with regard to the integration of refugees.

21. Mr. ULUÇEVİK (Turkey) noted that, since the end of the cold war, the number of victims of man-made disasters had increased considerably, leading to ever larger numbers of refugees and displaced persons. There were currently 30 million people in various parts of the world who were of concern to UNHCR.

22. The case of Bosnia and Herzegovina alone represented one of the worst human tragedies of modern history. At a time when the crime of genocide was being committed against the Bosnians with impunity, UNHCR had to cope with over 1 million refugees and displaced persons in the area. Now that progress was being made towards a negotiated settlement in Bosnia and Herzegovina, the tasks awaiting UNHCR were no less challenging. In that connection, he welcomed UNHCR's willingness to promote the organized return of the refugees and displaced persons and agreed with the High Commissioner that humanitarian issues must be made part and parcel of a peace agreement.

23. With regard to international protection, Turkey believed that the 1951 Convention and 1967 Protocol contained the necessary legal elements for protecting those fleeing "en masse" from internal disturbances and armed conflicts and that solutions should be sought within the existing framework. From the practical point of view, he noted that the great majority of refugees were currently being hosted in developing and least developed countries, while access to industrialized countries was becoming more and more restrictive and selective.

24. The subject of statelessness was an important one and he commended UNHCR on the study it was conducting on that subject, which was a long-forgotten problem of private international law. He also praised UNHCR's efforts to make international refugee law widely known and supported UNHCR's educational programmes, especially those aimed at women and children.

25. He believed that the maintenance of security and the preservation of law and order in the refugee camps were of cardinal importance. Any action or omission which might facilitate armed activities in or around refugee camps aimed at destabilizing Governments or any other hostile activity which might endanger the safety and stability of States was incompatible with the civilian and humanitarian character of the camps.

26. Owing to its critical geographical location, Turkey had always been directly affected by population movements from the neighbouring countries of the Balkans, the Caucasus and northern Iraq. Despite the strains that such movements brought to bear on its economy and resources, Turkey had always

hosted refugees, who at present numbered approximately 30,000. The massive influx of refugees from northern Iraq in 1991 had resulted in serious challenges and devastation in the country, but UNHCR's efforts and contribution had been exemplary. That experience had once again proved that voluntary repatriation was the durable solution for refugee movements.

27. Turkey was prepared to make its contribution in bringing solutions to the humanitarian issues being raised in Bosnia and Herzegovina. Various Turkish NGOs were already implementing a project for the construction of prefabricated houses in Zenica. Turkey had also assumed the role of coordinator of the joint efforts of the members of the Organization of the Islamic Conference through the Assistance Mobilization Group in Bosnia and Herzegovina.

28. Mr. GRIFFITHS (Department of Humanitarian Affairs) said that he would refer to three important issues which had already arisen in the debate and which would surely continue to dominate thinking in the months ahead.

29. The first issue was coordination, which made it possible to apply scarce resources and skills in the most effective manner. In that connection, he highlighted two examples where UNHCR had played a very significant role: in the field, in the countries of the Caucasus, where, thanks to the collegiate relationship between UNHCR and DHA, it had been possible to conduct the humanitarian programme without the addition of extra bureaucracy, and at the headquarters level in Geneva, where UNHCR had been a key player in the deliberations of the Task Force of the Inter-Agency Standing Committee, chaired by DHA, on the issue of the use of military and civil defence assets in support of humanitarian operations.

30. Secondly, as the High Commissioner had mentioned, the issue of United Nations reform required careful study and an openness to change. The Economic and Social Council had adopted a resolution requiring all the services involved to review ways in which they might improve their performance and the Department of Humanitarian Affairs, with its particular responsibilities pursuant to that resolution, was already working with agencies to ensure that the review was undertaken expeditiously and with the fullest participation of all concerned.

31. The third issue concerned the connection between relief, rehabilitation and development work. Part of the mandate of the Department of Humanitarian Affairs was to promote the transition between those activities, but it was a commonplace of experience that those activities often took place at the same time rather than in a linear continuum. That presented all with the challenge to learn from the experience of other humanitarian actors and required those funding relief, rehabilitation and development work to relax their funding criteria to reflect the reality of what was needed on the ground.

32. In that connection, he had noted with particular interest the call by the High Commissioner for a "third window" for the funding of emergency rehabilitation activities. The Department looked forward to developing, in cooperation with UNHCR, other agencies and Governments, further ways in which that critical area of performance might be improved. Lastly, he expressed appreciation for the exemplary way in which the High Commissioner had consistently fulfilled her mandate.

33. Mr. SINGH (India) said that India remained firmly committed to the principles of the Charter of the United Nations and to the High Commissioner programme for the international protection of refugees. Its interest in all aspects of the work of UNHCR was rooted in its full support for humanitarian ideals. It had never failed in its responsibility to provide succour and sustenance to refugees, essentially through its own modest resources. Another aspect of its tradition of assistance to refugees was the fact that repatriation had been effected entirely on a voluntary basis through bilateral arrangements with the countries of origin. Tens of thousands of refugees from Sri Lanka and the Chittagong Hill Tracts in Bangladesh were present in India. Arrangements had been reached with the Governments of Sri Lanka and Bangladesh and a voluntary repatriation process was under way.
34. His delegation commended UNHCR on the high quality of the background document on international protection (A/AC.96/850) prepared for the current session of the Executive Committee. The document delineated with precision and depth the range of issues and challenges faced by UNHCR in the discharge of its mandate to provide international protection to all refugees in need. India agreed with the High Commissioner that global efforts were needed to address the entire range of refugee-related problems. It was especially necessary to enhance the security and predictability of protection operations, strengthen international solidarity, support the capacity of host States to receive and protect refugees, seek sustainable solutions to refugee problems within countries of origin to prevent their recurrence and create conditions for the repatriation of refugees in a manner that ensured their safety and established favourable conditions for their reintegration.
35. The root causes of population flows had become increasingly complex and required multifaceted action. International cooperation for development must be increased in order to bridge economic disparities, which were often the cause of migratory flows. Although it was opposed to illegal migration, India believed that a liberal outlook was needed to deal with the problems of refugees and migrants in general. Those problems should be approached on the basis of universal and uniform criteria. In that connection, he was happy to note that the background document prepared by UNHCR underlined the need to address a broad spectrum of legal, political, developmental, security and other related issues in international protection efforts.
36. With regard to the question of internally displaced persons, it should not be forgotten that those involved were within the administrative and territorial jurisdiction of their own States. In any assessment of the situation, the precise circumstances should be carefully and objectively considered. The consent of the State concerned should be an indispensable prerequisite for UNHCR activities.
37. His delegation reiterated its continued support for the High Commissioner's programme. While it was aware of the need to provide UNHCR with adequate resources, it drew attention to the risks involved in any overloading of UNHCR's mandate. The objective should be to strengthen the structure of UNHCR's existing activities in the areas where it had already proved itself.

38. Mr. SANCHEZ ARNAU (Argentina) said that the current session of the UNHCR Executive Committee was particularly important for two reasons. It would have to decide on reforms to be made in the Executive Committee's working methods and would have to adopt the new approaches, restructurings and verification systems needed for the proper functioning of refugee assistance programmes.

39. With regard to the guiding principles of international protection, he welcomed the document submitted by the Secretariat, entitled "Note on International Protection" (A/AC.96/850), which kept open the dialogue between countries and UNHCR in order to correct, through concerted action among States, the legal void that applied to massive influxes of refugees. Emphasis should be placed on prevention and early-warning measures to enable the international community to anticipate population displacements.

40. Case-law and the efforts made by States for decades had led to the establishment of a sound system of protection and national solidarity for coping with the emergency situations of the post-war period and with crises caused by influxes of refugees throughout the world. The American Convention on Human Rights and the Cartagena Declaration, together with other instruments relating to asylum, such as the 1928 Havana Convention and the 1933 Montevideo Convention on Political Asylum, were the Latin American legal contribution to the protection of refugees. Beyond legal instruments and regulations, however, it was the practice of States that worked in favour of respect for fundamental human freedoms, to the extent that States also provided for the protection of persons who were not recognized as refugees in the strict sense of the term, such as internally displaced persons and victims of armed conflicts.

41. The international community was currently torn between two trends: on the one hand, the hope of expanding the scope of protection and, on the other, the temptation to reject. In that connection, he agreed with the High Commissioner that the principle of non-refoulement was not even respected by countries that had the economic means to protect refugees' lives and integrity.

42. The efforts made and enormous sacrifices accepted by the countries of the Great Lakes region, which had hosted millions of refugees, had resulted in a deterioration of the environment that should be closely monitored by the international community, especially as the countries involved did not have the necessary means for correcting those disasters. He noted in that connection that the vast majority of refugees settled in developing, rather than developed, countries.

43. The international community should pay special attention to the vulnerability of refugee women and children as well as to refugees' health. He endorsed the recommendations contained in document EC/SC.2/77 and urged that the specific measures for distributing food to women and protecting them outside the refugee camps should be implemented without delay.

44. Argentina had responded positively to UNHCR's appeal to host large groups of Bosnian refugees in its territory and had contacted UNHCR to study arrangements for hosting 150 families. In addition, the "white helmets", volunteers who were currently operational in the framework of various projects

already under way - as in Bolivia and Haiti - or under study - as in Angola or Gaza - would provide a valuable contribution to international humanitarian assistance activities in the form of prevention or emergency operations. Given that an increasing number of countries had established national white helmet teams, it would be advisable for UNHCR to use that capacity. Argentina, for its part, was at UNHCR's disposal to analyse needs in that regard.

45. He paid a tribute to the self-sacrifice of the staff of UNHCR and the highmindedness of the High Commissioner, whom he congratulated on her decision to establish the post of Deputy High Commissioner for General Policy, Planning and Operations.

46. Mr. YIMER (Ethiopia) said that, in the year that had elapsed since the last session of the Executive Committee, the situation of refugees throughout the world had worsened. The aggravation of the conflict in the Horn of Africa and the ensuing destabilization had made the problem even more complex. Several thousand Somalis had had to flee to neighbouring countries, including Ethiopia, which was currently hosting about 300,000 Somalis, 59,000 Sudanese and a sizable number of refugees from other neighbouring countries.

47. Ethiopia, which would continue to honour its obligations and abide by the provisions of the United Nations instruments and the Organization of African Unity conventions to which it had acceded, drew attention to the enormous strain on the areas in his country that continued to host refugees. The infrastructure, social services and environment in the refugee-hosting areas were being stretched to the limit. Although the Ethiopian Government was grateful to UNHCR for its encouraging initiative in that regard, it felt that the assistance being provided to Ethiopia in terms of burden-sharing was relatively inadequate as compared to the high number of refugees it was hosting. He appealed to UNHCR and the international donor community to redress that imbalance. Regarding the repatriation of Ethiopian refugees, he expressed gratitude to UNHCR: thanks to its assistance and cooperation, 967,000 Ethiopian refugees had been able to return home voluntarily and the repatriation operation was continuing.

48. Within the new structure of the federal Government, the Authority for Security, Immigration and Refugee Affairs was the sole body for refugee policy formulation based on United Nations and Organization of African Unity conventions and related protocols. It was reviewing the role, responsibilities and structure of the Administration of Refugees/Returnees Affairs (ARRA), UNHCR's main implementing partner, with a view to improving the implementation of refugee programmes.

49. While everyone agreed that repatriation was the most durable solution to refugee problems, it could only be so if it was supported by adequate recovery and rehabilitation assistance to returnee integration areas. Consequently, the approach to returnee assistance should be more comprehensive, taking into consideration not only the immediate needs of the returnees, but also the medium-term requirements. While the prospects for the repatriation of Ethiopian refugees were brighter than before the assistance, it must be ensured that the assistance given was proportional to their needs.

50. Regarding the repatriation of refugees currently being hosted in the country, Ethiopia had made its position clear on several occasions: it was ready to cooperate as soon as the situation in the countries of origin permitted the refugees' return in safety and dignity. At the request of a technical committee comprising representatives of donor nations and UNHCR, Ethiopia had made preparations for the repatriation of refugees in northwestern Somalia. The deadline for the conclusion of the operation had been set at 31 March 1995, but the violent clashes that had erupted in November 1994 had resulted in a new influx of refugees from northwestern Somalia into eastern Ethiopia. He reiterated his Government's readiness to cooperate in their repatriation when conditions were considered satisfactory.

51. As far as the Horn of Africa was concerned, his Government had always emphasized the need to find regional solutions to political, economic and social problems in the region. The Summit of Heads of State and Government of the countries of the Horn of Africa, held in Addis Ababa in 1992, had adopted a regional framework and a plan of action to deal with the consequences of the many man-made and natural disasters in the region, including refugee emergencies. The summit, which had been a landmark in regional cooperation, had led directly to the strengthening and expansion of the mandate of the Intergovernmental Authority on Drought and Development (IGADD). That organization would, in particular, build the capacity of the region to manage conflicts effectively, prevent or at least mitigate natural disasters and map out appropriate strategies for lasting solutions to the refugee crisis. Thanks to a revitalized IGADD, the Horn of Africa countries would find common solutions to common problems, including the repatriation of refugees.

52. Mr. MACRIS (Observer for Cyprus) said that the emerging picture of the refugee situation was a distressing one. The world had witnessed a dramatic increase in the many situations of conflict, resulting in ever larger numbers of refugees, displaced persons and persons in refugee-like situations. All those categories of persons were in urgent need of help. As the High Commissioner had stated the day before, in recent weeks, nearly half a million people had been displaced by war and violence in the former Yugoslavia.

53. The risks of conflict remained high throughout the world, including Europe, and every effort should therefore be made to prevent and defuse problems as early as possible. That should be a priority for the international community, especially for those nations that were in a position to exert a determining influence, as well as for the international organizations involved in humanitarian affairs. The dignity and worth of the human person, human rights and minimum standards should be upheld.

54. Turning to the report on UNHCR activities in Cyprus (A/AC.96/846/Part V/4), he said that the Government and people of Cyprus were grateful to the United States Government for its generous assistance to the UNHCR programme in Cyprus, in the amount of \$10 million. He also expressed appreciation to UNHCR for its continuing role in coordinating assistance to the persons uprooted and displaced since the Turkish invasion in 1974 by expanding bi-communal projects and strengthening the relationship between the two communities. Despite the problems it had encountered during the period under review, Cyprus had discharged its humanitarian obligations towards needy and vulnerable refugees in accordance with the 1951 Convention and

the 1967 Protocol. In that regard, the Government of Cyprus had welcomed the holding of the Second Seminar on Refugee Law, organized by UNHCR in Cyprus in January 1995. The Seminar had promoted a wider understanding of international instruments on the refugee status.

55. His delegation expressed its high esteem for the High Commissioner's dedication in fulfilling her difficult task and to her able and devoted staff both at headquarters and in the field. A special vote of appreciation went to the Head of the Regional Bureau for South West Asia, North Africa and the Middle East, as well as to the UNHCR staff involved in activities related to Cyprus. It also thanked the UNHCR Chief of Mission in Cyprus, who had just retired after many years of constructive and fruitful cooperation.

56. Mr. LILLO (Observer for Chile) commended the High Commissioner on her commitment to refugees and thanked UNHCR for the valuable documentation it had prepared for the session, particularly with regard to international protection of refugees. Like the High Commissioner, who, in her introductory statement, had given a full picture of the humanitarian situation throughout the world, and like other delegations, Chile hoped that the first steps towards solutions to one of the most serious current conflicts, that of the former Yugoslavia, would rapidly have a positive outcome and that a lasting peace would be established in that area of unrest.

57. Chile also hoped that humanitarian activities on the African continent would have a positive outcome and pave the way for rehabilitation after the wave of violence that had hit Rwanda and other countries of the Great Lakes region. It was disturbing, however, to see the emerging tendency to interpret the concepts of refugee and asylum narrowly, without regard for the basic principles upheld by UNHCR, such as non-refoulement at borders, international protection and voluntary repatriation. Serious thought should therefore be given to the causes of refugee movements and political commitments must be reaffirmed in order to reverse those trends, which, were they to intensify, would not fail seriously to damage international solidarity and increase the dangers and suffering to which refugees were exposed. A disturbing dilemma affected the system of protection and humanitarian action: the fact that States granted asylum less often was less reflective of a decrease in deserving cases than of restrictive practices, as proved by the alarming increase in the number of internally displaced persons.

58. The prosecution for political convictions or opposition to a specific regime that had led to refugee movements throughout the cold war had quite often been followed by deficiencies in social development that had led to the serious humanitarian crises responsible for the current refugee movements which proved the importance of prevention. The most recent humanitarian problems were obviously the result of serious social tensions that required a response other than mere humanitarian relief. Such relief was undeniably crucial for saving lives at the worst moments of violence and action in that area should continue, but it was essential to seek durable solutions as part of a concerted effort to grapple with both the causes and the effects of mass movements of refugees and displaced persons. There was no doubt that many humanitarian problems would be settled if peace and security, as well as economic and social development, were established. More than ever, development and peace were interdependent. The causes of the recent tragedies

were: deterioration of the social situation, genocidal violence, serious damage to the environment, enormous health problems and ethnic and racial exclusion, all of which were indicative of the extent to which the security of the individual was held in contempt.

59. As he had said earlier, humanitarian assistance was not a substitute for investment in social development. Humanitarian assistance as currently conceived made it possible only for the beneficiaries to survive. Investments in the social field, which should be the basis for prevention, should make an effective contribution to preventing crises or at least reducing their frequency, while fostering human development. There was no doubt that such investment would prove to be more profitable in the long term both for donors and for beneficiaries. For that reason, United Nations bodies should cooperate with UNHCR to study the humanitarian tragedies that resulted from the serious problem of the deterioration of the social situation and to analyse the costs of humanitarian assistance activities as a whole, including the economic consequences of those tragedies in countries of origin and host countries, by comparing them to the effects that the allocation of the corresponding amounts would have on social development in those countries. If such a study was widely disseminated, it should have a positive effect not only for the definition of assistance policies, but also by raising public awareness of the advantages of long-term investment in economic and social development.

60. The mandate of UNHCR, the main coordinator of humanitarian activities, should be interpreted more broadly in order for it to be in a better position to respond to the increasingly serious problems of internally displaced persons. It was urgent for Governments to deal with that issue. The San José and Cartagena Declarations would be extremely valuable in that regard.

61. It was also essential to strengthen the foundations of UNHCR action by preserving the peaceful, apolitical and exclusively humanitarian nature of its work and continuing to guarantee respect for the principles of non-refoulement and non-return, individual voluntary repatriation, reuniting of families and continuation of international protection.

62. With the exception of its recent past, Chile was a country motivated by solidarity and had traditionally been a land of welcome and asylum. It was therefore prepared to respond favourably to UNHCR's appeal to States to host Bosnian refugees.

63. Mr. HADZIOUMERAGIC (Observer for Bosnia and Herzegovina) said that the Government of Bosnia and Herzegovina basically agreed with the principles and lines of action proposed by the High Commissioner and would cooperate with her in all of the domains covered. The principles, solution and expected problems were being studied by his Government. It had already taken some action. To facilitate the repatriation process, it had adopted several laws and programmes and defined specific procedures. Repatriation would be carried out in a programmed manner, under conditions of dignity, equality and security as far as possible. It would be performed in phases and safe areas. Displaced persons and refugees would have the right to recover property of which they had been deprived through ethnic cleansing and would be provided with appropriate support for construction or reconstruction of their houses. The

Government of Bosnia and Herzegovina would provide comprehensive and up-to-date information on rights, terms and procedures of repatriation for displaced persons and refugees. It was essential for that operation to be well planned, performed and monitored, in cooperation with the Government of Bosnia and Herzegovina. Without permanent coordination among donors, the Government and implementing agencies or organizations, results would be poor. The return of the most courageous, mostly from among the internally displaced was already under way in the direction of the liberated territories.

64. Everyone was aware of the consequences of the cruel Serbo-Montenegrin aggression against the Republic of Bosnia and Herzegovina, which had resulted in 200,000 registered killed and missing, mostly Bosnians, and nearly the same number of wounded. More than 1.2 million persons had been expelled from their homes and over 800,000 had had to take refuge outside of Bosnia and Herzegovina. More than 50 per cent of the housing supply had been destroyed, the economy of the Republic had been ruined and more than 3 million anti-personnel and other mines had been seeded throughout the territory.

65. Informing the Executive Committee of the problems his country's authorities considered to be the most important, he said that, first, the expulsion of the non-Serb population was continuing. As a result of the recent ethnic cleansing in the territories controlled by the Serb terrorists, more than 25,000 persons had been expelled into Croatia. No international organization had achieved any results so far in impeding that type of genocide. The Serb terrorists had begun officially to proclaim that type of crime as their goal and had brought special paramilitary units from Serbia for that purpose. He urged UNHCR to take the necessary measures for the protection of the victims of such acts and to present evidence of the expulsion to the international tribunal.

66. Secondly, people in the enclave of Gorazde had been living in absolute isolation for four years and depended exclusively on UNHCR assistance. The humanitarian situation had deteriorated particularly in the past three months because Serb terrorists had been preventing aid convoys from reaching that region. The 70,000 inhabitants of that enclave had to be assisted immediately with food, clothing, footwear, medicine and fuel, as well as with medical evacuation; if they were not, the winter threatened to be tragic for many of them. They could not wait for a final peace settlement.

67. Thirdly, the authorities had not been able to resolve most of the problems of the tens of thousands of extremely vulnerable people from Srebrenica and Zepa, the safe areas delivered into the hands of the barbarians by the United Nations. More than 10,000 of them were still missing. More than 3,000 had been brutally killed by Serb terrorists. The search for the missing persons from Srebrenica and Zepa had failed; neither UNHCR nor ICRC had done substantial work in that area. He urged them to trace, register and protect those persons. In addition, the accommodation problems of the displaced persons from Srebrenica and Zepa had not yet been resolved and the Task Force for Srebrenica and Zepa should step up its activities.

68. Bosnia and Herzegovina felt that most of the humanitarian organizations and the key countries of Europe continued to deal with the conflict in the former Yugoslavia as if it were a civil war or an ethnic and religious war.

That false and dangerous assumption had prolonged the suffering and would complicate the resolution of the problem in both the political and humanitarian fields. Reading the papers for the Executive Committee's session, listening to the speakers and following the mediation process for peace in the region, he had a definite feeling that there was a "half-way approach to the problem". In order to pacify the instigators and perpetrators of the worst kind of atrocities to be committed since the Second World War, care was being taken not to cut the Gordian knot, to dismantle the Fascistic regime of the terrorist Serbs of Pale. Yet according to a CIA report in March 1994, 90 per cent of the atrocities in the region had been committed by Serb military or paramilitary troops or local warlords. It was unimaginable that a civil society could be established if the most dangerous threats to it were not eliminated.

69. The future would prove whether the international community was able to take a real step in the direction of pacification of the region in order to lay the groundwork for reconciliation and democratization. If not, everyone - beginning with Europe - would be facing the greatest challenge imaginable to prevent the spread of fascism and a chain reaction in the Baltic States, Moldova or anywhere else.

70. He urged the humanitarian organizations to follow the peace process closely, to ask for a clearly defined framework in which to act and not to permit politicians to impose almost impossible conditions, putting the role of UNHCR, ICRC or other agencies at stake. Innocent civilians would ultimately be the victims of restrictive policies formulated by short-sighted politicians.

71. His Government fully supported all those who were struggling for a just and durable peace that would pave the way for reconciliation and democratization not only in the Republic of Bosnia and Herzegovina, but also in the entire territory of the former Yugoslavia. Lastly, he paid tribute to the UNHCR and NGO staff who had worked tirelessly in the past four years to improve the conditions under which the people of Bosnia and Herzegovina lived.

72. Mr. SLIPCHENKO (Observer for Ukraine) said that the international community continued to face a host of problems related to refugees and mass forced population movements, which had reached critical proportions and affected the majority of countries. Not all of the new challenges could be efficiently dealt with by utilizing the traditional legal and organizational approaches and Ukraine supported the call of the High Commissioner continuously to revitalize UNHCR's thinking and review its working methods.

73. Ukraine was deeply aware of the acuteness of the global humanitarian crisis. It had to cope with the problems that had been inherited from the past or had emerged as a result of the new circumstances. It had been serving as a safe haven for tens of thousands of refugees from the zones of armed conflict in the neighbouring States of the former USSR, as well as for refugees from other countries. It was conscious of its moral obligation to ensure them protection and assistance commensurate with its present socio-economic resources. For that purpose, the Parliament of Ukraine had adopted a law on refugees which corresponded to the basic international norms in the field and had established State bodies to implement it and elaborate

the corresponding legal procedures. His delegation hoped that the UNHCR office established in Ukraine would be able to increase the scope of its activities and give more substantial assistance to those bodies.

74. The preparations for the Regional Conference on Refugees in the Community of Independent States should give new impetus to cooperation between Ukraine and UNHCR. Ukraine shared the assessment, contained in the information note submitted by the Secretariat, of that process as one of a humanitarian and non-political character aimed at devising an integrated strategy for the CIS region through the drafting of a declaration of principles and a program of action. He attached special importance to the follow-up to the Conference in order to ensure that its decisions would not remain a dead letter. It was also critically important for the above-mentioned strategy to reflect both the short-term, immediate needs of the countries of the region and their long-term objectives, as well as of solution-oriented and preventive aspects, thereby enabling the countries of the region to cope with migration problems. It was equally clear that their present and future endeavours in that area, which were essential for regional and global stability, called for the adequate support of all interested States and the international community as a whole. The discussions to follow the preparatory meetings should be even more focused and dynamic, so that the Conference might be convened by mid-1996 at the latest.

75. The preparatory process had led to better understanding by Ukraine's partners of one of the most poignant problems facing Ukraine and its people, the continuing repatriation of the peoples formally deported from the territory of Ukraine by the past totalitarian regime of the former USSR. Since the early 1990s, Crimean Tatars, Germans, Greeks and others had been returning on a massive scale, most heading for Crimea, which had already accommodated 240,000 Crimean Tatars and 12,000 representatives of other ethnic groups. Many more were ready to follow in their steps. The sheer number of returnees indicated the dimension of the work to be performed to integrate them, especially in view of the complicated economic and socio-political environment. The seriousness of the situation had long been recognized by the Ukrainian authorities, who had regularly allocated financial resources, notwithstanding severe budgetary constraints, and provided material assistance to returnees in order to facilitate their reintegration and preserve an atmosphere of peace and tolerance on the Peninsula. Recent conclusions of the Human Rights Committee had noted Ukraine's positive record in that respect.

76. In addition to the measures already taken to develop adequate infrastructures and guarantee the former deportees their political rights, the Government of Ukraine had elaborated a State programme for the resettlement of the Crimean Tatars and other former deportees that would not only contribute to their adequate protection, but would also envisage the creation of new jobs and conditions favourable for the revival and development of their culture. At the same time, recent unrest in the Crimea had highlighted the inadequacy of the financial support available to provide for their resettlement and meet their basic needs.

77. The problem of the formerly deported peoples obviously transcended the boundaries of Ukraine and dialogue should continue with the States where deportees had been residing for over 50 years and to whose well-being they had

made significant contributions, namely, Kazakhstan, Kyrgyzstan, Uzbekistan, the Russian Federation and other States, with a view to signing the corresponding agreements and strengthening cooperation. So far, Ukraine had been left on its own to meet the cost of resettling the deportees, which for the Crimean Tatars alone was being estimated at over \$250 million. No other State but Ukraine had ratified an agreement on the issues pertaining to the restoration of the rights of the deportees signed in 1992 by the CIS countries. The President of Ukraine had proposed that that problem should be considered again at the forthcoming CIS Summit. Ukraine saw that there was a significant role to be played by UNHCR and other specialized United Nations agencies in raising international awareness of the gravity of the situation, as well as through direct involvement on the basis of a coordinated approach embracing Ukrainian institutions, international organizations, NGOs and the donor community. A positive outcome for those endeavours would serve as an example of an effective strategy of prevention.

78. Mrs. RODRIGUES (Observer for Mozambique) said that, owing to the successful conclusion of the preparatory work for the first general, multi-party elections to be held in Mozambique, more than 1.7 million Mozambicans had returned to their country in one of the largest repatriation operations ever carried out successfully by UNHCR. The returnees were participating enthusiastically and with determination in projects aimed at their social and economic reintegration and, consequently, at national reconstruction. Mozambique again thanked UNHCR, intergovernmental organizations, NGOs and donor countries, which had made the success of the operation possible. In addition to the demining operation, the reintegration of the returnees, internally displaced persons and demobilized soldiers was a big challenge and a capital factor for the consolidation of peace and democracy.

79. She drew the international community's attention to the importance of providing continuous support for the last stage of the UNHCR programme in Mozambique, which was basically geared towards projects with an immediate impact on the reintegration of returnees and focused on the creation of basic services in returnee areas rather than on the beneficiaries themselves, with a view to creating a bridge towards medium-term and long-term development programmes. Those activities were scheduled to be completed by June 1996, but there was a funding shortfall of \$13 million. If that gap was not covered, the activities would have to be cut down drastically, with severe and unpredictable consequences.

80. Despite the enormous economic and social adversities Mozambique was experiencing, peace and stability in the country were leading to a continuous movement of foreign citizens seeking asylum. Over a short period of time, more than 200,000 asylum-seekers from different African countries had entered Mozambique. If Mozambique was to meet its international obligations, its capacity to do so would have to be strengthened. Committed to humanitarian principles, the Government had decided to create, with support from UNHCR, an Eligibility Committee responsible for accelerating the process of awarding refugee status.

81. Mozambique would never forget the solidarity it had enjoyed from the neighbouring countries and the international community during the dramatic

period it had experienced. It was prepared to contribute, with the lessons learned from its past, to the search for solutions to the conflicts that were claiming thousands of lives and causing massive population displacements. It was concerned at the intensification of political and military conflicts in Asia and Europe, more specifically in the Great Lakes region and the former Yugoslavia, but it continued to trust that the concerted efforts of the warring parties themselves and the international community to find solutions for eliminating the causes of those conflicts would yield positive results.

82. Mr. BADJIE (Observer for Gambia) said that, in view of the civil wars, conflicts, unrest, persecution and other forms of disasters that were constantly increasing the number of refugees and displaced persons throughout the world, UNHCR's role should not be limited to protection, provision of basic humanitarian assistance, creation of resettlement areas or repatriation. It should also endeavour to learn the root causes of crises and how to stop them; participate in the signing of peace accords and cease-fires and deal with other pertinent problems such as the infringement of refugees' human rights. One particular problem facing UNHCR and its collaborators was the need to differentiate between economic migrants and genuine refugees. The burden of economic migrants on UNHCR and countries of asylum would be considerably reduced by the introduction of effective screening systems.

83. Despite the fact that Gambia was not a member of the Executive Committee and also ranked low on the UNHCR list of priority countries, it too was faced with refugee problems. Historically known for the peace that reigned in its territory and the generosity of its people, Gambia was hosting refugees from Sierra Leone, Liberia and Senegal, not to speak of the Gambian returnees. The nearly 1,000 Sierra Leonean refugees had fled mainly from the Kino area as a result of rebel activities. They had begun to arrive in February 1995 and were mostly grouped in the upper river division where the UNHCR Dakar office was building a camp for them. Their repatriation would depend on the outcome of the general elections to be held in their country. The Senegalese refugees had fled their country as a result of the rebel incursion in the part of their country called Casamance. They numbered more than 1,000, most of them disadvantaged women and children who had little chance of being able to return home if the Senegalese Government and the rebels did not sit down together at the negotiating table. The Liberian refugees had first begun arriving in 1989 with the beginning of the conflict in their country. Because of their small number, they had initially been housed in the Red Cross headquarters and later allowed to live in the Gambian community. The Gambian returnees and displaced persons were mostly of the Sarehulle tribe who had travelled to Sierra Leone and Liberia in search of greener pastures. They had begun to return home when they had no longer felt safe in the above-mentioned conflict areas. Statistics showed that they were about 6,000 in number and that over 50 per cent of them had been born in Sierra Leone and Liberia.

84. Gambia had divided the needs of those refugees and returnees into two categories: immediate needs (foodstuffs, clothing and health care) and long-term needs (children's education and income-generating activities, including the promotion of self-sufficiency and agriculture). It hoped that UNHCR would provide them with vocational training to prepare them for their future life. In Gambia, the key players in refugee affairs were the Government, the UNHCR Dakar office, the Gambia Red Cross and the

Anglican Mission Development Ministries. The Government allocated lands for settlement and provided security and protection through UNHCR, the police and immigration services. The refugees had access to national hospitals and clinics.

85. The Government had recently demonstrated its interest in the refugee programme by donating 3,000 bags of flour to the Gambia Red Cross. UNHCR, through the Gambia Red Cross and the Anglican Mission Development Ministries, was currently involved in registering refugees and provision of basic needs such as food and shelter. The Gambian authorities also relied on cooperation from the World Food Programme. The statistics on refugees and displaced persons in Gambia might give the impression that the situation did not need serious attention and assistance from UNHCR. However, the hosting of refugees and returnees still put pressure on the country's meagre resources. With that in mind, he appealed to UNHCR to consider increasing and improving its assistance to those groups.

86. Lastly, he joined the previous speakers in urging UNHCR to take note of the constructive criticism made at the current session of the Executive Committee concerning the formulation, implementation and evaluation of programmes and projects. He also urged the international community and donor countries to be more tolerant, patient and accommodating to host countries and refugees and to help UNHCR to tackle its refugee problems amicably and the United Nations to provide a better world for mankind.

87. Mrs. MHLANGA (Lesotho) said that, since the disappearance of apartheid in South Africa, the number of persons seeking political asylum in Lesotho had been reduced to a trickle, but that did not mean the problem of refugees from South Africa had been fully resolved. The continuing unrest, especially in the Province of Kwazulu Natal, necessitated a high level of vigilance on the part of Lesotho, which considered itself honour bound by its international obligations. The situation in Burundi, Rwanda, Liberia, Angola, Sudan and many other countries was also disturbing. Lesotho's refugee policy was governed by the 1983 Refugee Act and the 1986 Refugee Regulations, which aimed especially at responding to emergency situations. Under the 1983 Act, an Interministerial Committee had been established for the determination of refugee status; it processed applications and registered persons who had been recognized under the Act as refugees and advised the Minister on refugee-related issues. The lull in refugee applications had caused a slackening of that Committee's activities.

88. It was the Government's policy to integrate the refugees into society rather than to put them in camps. Those with skills were encouraged to set up their own businesses or to be gainfully employed to be able to support themselves. The majority of the refugee community currently in Lesotho consisted of persons internationally recognized as refugees and offered political asylum elsewhere, but who stayed in Lesotho for educational purposes. They originated principally from Uganda, Sudan, Burundi, Rwanda and Zaire, thus showing that the distance between countries was not a deterrent to asylum-seekers. The nearest countries did not often provide the security needed by asylum-seekers, and that tended to cast doubt on the principle of the country of first entry as relevant for refugee consideration. The Government had been working closely with the Lesotho Council of

Non-Governmental Organizations, which was coordinating the Partnership in Action Programme (PARinAC) in an effort to close existing gaps and draw up well-defined action plans. The UNHCR Deputy Regional Representative had recently visited Lesotho and promised to provide the immigration officials who received asylum-seekers with much-needed training, which would help them treat asylum-seekers humanely and enable them to distinguish between genuine refugees and opportunists.

89. Mr. MWEISUMO (United Republic of Tanzania) said that the situation in Africa, which had the greatest number of refugees and displaced persons, had continued to deteriorate. In the Great Lakes region in particular, poor countries had been forced, by an accident of geography, to receive an enormous case-load of refugees exceeding 2 million people. Faithful to its record of hospitality in providing sanctuary to successive waves of Mozambican, Angolan, Zimbabwean, Namibian and South African refugees fleeing colonial and racial oppression, the United Republic of Tanzania was at present hosting about 1.4 million refugees, mostly from Rwanda and Burundi. That had placed serious strains on the country, especially with regard to the environment and the social and economic infrastructure. The situation was aggravated by the fact that a number of undesirable elements, militiamen or even instigators of the massacres in Rwanda, had managed to slip in among the asylum-seekers, sowing the seeds of hatred and anarchy on Tanzanian territory by terrorizing genuine refugees and preventing them from returning home and by frightening the Tanzanian population in the villages close to the camps. In addition, there had been clashes with the Burundi army, which had ultimately led to the closure of the border between Tanzania and Burundi.

90. The Government of the United Republic of Tanzania was convinced that the only viable and durable solution for refugees was repatriation to their country of origin. The implementation of the principles agreed at the Nairobi and Bujumbura Summits on Refugees in the Great Lakes region would go a long way towards creating conditions for a durable peace in the region. In particular, the international community should implement the decision to set up safe corridors and safe havens inside Rwanda under international supervision as a way of encouraging refugees to return home. UNHCR could play an important role by building confidence among refugees and persuading them that it was possible to return to the safety zones without fear of reprisals.

91. As part of its efforts to seek a durable solution to the refugee crisis, the Tanzanian Government had provided facilities for the setting up of the International Tribunal for Rwanda. It was also willing to undertake the exercise of separating those suspected of having organized and perpetrated the genocide and political assassinations in Rwanda from genuine refugees so that the former might be tried either in Rwanda itself or by the International Tribunal in Arusha. To do so, however, it would need financial and logistical support from the international community. There was unfortunately a tendency for the international community, when dealing with the refugee crisis, to consider that the weaker countries of asylum should live up to their humanitarian obligations at the expense of their national rights and interests. However, was the primary duty of a State not to preserve itself and protect its citizens and their rights? The international community must respect that right without bias or double standards. Tanzania proudly felt

that it had played its role fully with regard to refugees, albeit in very difficult circumstances, but it appealed to donors to continue helping it fulfil its obligations, particularly in the area of repatriation.

92. Mr. BIN GHANEM (Observer for Yemen) said that, as the previous speakers had stated, the increase in armed conflicts, ethnic clashes and human rights violations throughout the world was causing a constant increase in the number of refugees, which required the international community to step up its efforts to curb that phenomenon. He fully subscribed to the conclusions contained in the documents submitted to the current session of the Executive Committee.

93. As a result of the many disasters that had hit the Horn of Africa, Yemen had had to receive tens of thousands of refugees. The Government had mobilized to provide them with humanitarian assistance, despite the burden of the return of 1 million expatriates following the Gulf war. In cooperation with UNHCR, the Yemeni Government had begun regrouping those refugees in certain regions and providing genuine refugees with cards entitling them to assistance and protection. It also focused on facilitating their voluntary return to safe areas in their own country.

94. Yemen, which had been one of the first countries in the Middle East to sign the 1951 Convention relating to the Status of Refugees, hoped that the Executive Committee would give due appreciation to its efforts to settle the refugee problem locally. It hoped that UNHCR would help it bear that heavy burden by increasing its financial assistance and seeking durable solutions for all the refugees.

The meeting rose at 6.40 p.m.

Distr.
GENERAL

A/AC.96/SR.503
23 October 1995

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-sixth session

SUMMARY RECORD OF THE 503rd MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 18 October 1995, at 10 a.m.

Chairman: Mr. LARSEN (Denmark)

CONTENTS

GENERAL DEBATE (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.95-03498 (E)

The meeting was called to order at 10.25 a.m.

GENERAL DEBATE (agenda item 4) (continued) (A/AC.96/845, 846/Part II/, 847, 850, 851, 852 and 855)

1. Ms. VAVROVA (Observer for the Czech Republic) said that, at a time of urgent and complicated emergency situations involving a growing number of persons requiring international protection and assistance, the only efficient way of addressing forced population movements was by a coordinated, comprehensive and regional approach on the part of the international community, together with close but not overlapping cooperation between the appropriate specialized agencies both within and outside the United Nations system. The basis for such an approach was UNHCR's solution-oriented strategy, which aimed to prevent forced population movements and to provide optimum and durable solutions to refugee problems, predicated on the economic and social post-conflict rehabilitation of the countries of origin in order to enable refugees to return. Her delegation agreed with the need to link humanitarian aid, political conflict-solving initiatives and development programmes, which together helped to solve refugee problems.
2. The Czech Republic was now focusing on programmes for the full integration of persons with refugee status living in its territory. The State programme for refugee integration, financed from the State budget, had entered its second year of successful existence.
3. While taking a mildly optimistic view of the situation in the former Yugoslavia, her country considered that the massive new refugee waves caused by armed hostilities there could not be overlooked. It commended the international community's intensified efforts to satisfy the basic needs of the suffering population, to which it had continued to provide direct humanitarian aid through non-governmental organizations. Maximum efforts were being made to focus aid on the real needs of specific regions, without regard for the nationality or religion of its recipients. A substantial increase in the volume of assistance provided by her country was envisaged during the coming year.
4. The Czech Republic also helped to alleviate the suffering of civilian populations by granting temporary protection, whose main beneficiaries had been the citizens of Bosnia and Herzegovina, and it was looking at ways of determining the legal status of such persons and of creating conditions to offer them a clearer prospect of their life in the Czech Republic.
5. The unconditional observance of the principle of non-refoulement and the need to address refugee protection within the wider context of human rights protection were key elements of international refugee protection. Her delegation disapproved of any measures barring the exercise of the right to seek asylum, to participate in asylum procedure and to enjoy protection against persecution on the grounds of race, religion, nationality or membership of a particular social or political group. The capacity of receiving countries, many of which were grappling with their own economic and social problems, was, however, not inexhaustible and there was a need to create both an efficient and fair asylum procedure to prevent the abuse of asylum and to guarantee protection for those who really needed it.

6. Her delegation appreciated the activities of UNHCR and the commitment of its staff, who were performing their demanding task under increasingly complicated and dangerous conditions.

7. Prince Sobandla DHLAMINI (Observer for Swaziland) said that the emergence of peace in southern Africa had raised hope that, for the first time in many years, the region would be free of anguish and despair. However, the endless wars in other African States, particularly to the north, had compelled Swaziland once again to honour its international and humanitarian obligations. While his Government had always fulfilled its commitments under the 1951 Convention, the ordinary Swazi viewed the presence of refugees as a threat to his own survival and the Government faced an uphill struggle to convince citizens of the need to accept and protect refugees, a task that was difficult for a small country which had meagre resources and high unemployment and suffered from persistent drought.

8. Like most developing countries, Swaziland was hindered in its efforts to ease suffering among refugees by its economic limitations. It appreciated the need to improve clinic facilities in the refugee camp in terms of human resources and medication as a means of eventually reducing high hospital costs. There was also a need to cater for children under five and for the vulnerable groups that required special attention. The phasing out by UNHCR of cash allowances meant that funds had to be injected into income-generating projects, particularly as the majority of refugees in Swaziland were young single males who deserved every assistance in order to help them help themselves. The problem of overcrowding, which compelled families and their children to live together, contrary to Swazi culture and tradition, also required attention.

9. He realized that budgetary constraints had forced UNHCR to cut the size of its staff in Swaziland, although that step had unfortunately not had a positive impact, since it had compromised UNHCR's work. Swaziland was also concerned by the increasing numbers of refugees who had moved through several countries before reaching Swaziland. It had raised the issue with the UNHCR Liaison Office in Mbabane and the Regional Office in Johannesburg, which had expressed UNHCR's willingness to assist the regional meeting that Swaziland intended to convene on the issue following the recent successful workshop on international refugee law and policy it had organized. Those successful endeavours were a result of understanding and cooperation by CARITAS, UNHCR and the Government of Swaziland.

10. Mr. POKHAREL (Observer for Nepal) noted with pleasure that Nepal's two neighbours, India and Bangladesh, together with the Russian Federation, had become members of the Executive Committee.

11. The exemplary way in which UNHCR had been fulfilling its mandate despite serious financial and other constraints was a tribute to the perseverance and dedication of the High Commissioner, whose important opening statement had clearly delineated the challenges facing UNHCR. He also paid tribute to the staff of UNHCR, who had been carrying out their mandate under the most trying circumstances.

12. Since the restoration of a multi-party system of Government in 1990, Nepal had been engaged in the uphill task of ensuring its socio-economic development, on which the burden of hosting refugees had taken a heavy toll. Without the generous assistance of UNHCR, other international agencies and donor countries, Nepal would not have been able to carry out its duty to provide asylum and the Government of Nepal deeply appreciated the assistance it had received.

13. He drew attention to the report of the High-Level Intergovernmental Meeting on the Mid-Term Global Review on the Implementation of the Programme of Action for the Least Developed Countries for the 1990s, which had recently been held in New York. It described the destabilization caused by the presence of large numbers of refugees in the least developed countries, which had been obliged to provide asylum at a high budgetary, environmental and social cost, and called for urgent and concrete international support to assist countries hosting refugees.

14. The Overview of UNHCR activities (A/AC.96/845/Part II) mentioned that no durable solution had been found to the problem of over 86,000 Bhutanese refugees in Nepal, despite two rounds of bilateral talks between the two Governments in June 1994 and February-March 1995. The Ministerial Joint Committee established to seek a solution to the problems of Bhutanese refugees in Nepal had so far held six rounds of talks and he assured UNHCR, as well as donor countries, that the Government of Nepal was committed to finding an early solution to that problem.

15. While his delegation deeply appreciated the assistance received from UNHCR, it had misgivings about the readiness expressed by UNHCR in document A/AC.96/846/Part II/5 to support local integration as part of a durable solution. Nepal was prepared to do everything possible to facilitate the early repatriation of Bhutanese refugees and welcomed the offer of good offices made by the High Commissioner in her opening statement. It would appreciate information on progress in that direction and reiterated its readiness to cooperate with the High Commissioner.

16. Nepal was also willing to continue the bilateral dialogue with Bhutan. Bhutanese refugees in Nepal were registered by UNHCR under its normal status-determination procedures and agreement had been reached on the modalities of field verification to resolve any doubts about status. However, the existing national legislation of both Bhutan and Nepal could provide no guiding principles for field verification on account of the inadequacy of their citizenship and immigration laws. The absence of any provisions to deal with refugees in the two countries' legislative instruments left room for the creation of statelessness on a large scale. In view of those difficulties, Nepal had proposed that verification should be carried out with the technical assistance of UNHCR or any other competent body. It was open to suggestions to ensure that the problem, which was already having an adverse economic, social and environmental impact in the areas where the refugee camps were located, was not allowed to fester indefinitely.

17. His delegation welcomed not only the High Commissioner's determination to guarantee the protection of refugee women and children, including their protection against sexual violence, but also her intention to continue to

explore imaginative ways of implementing policies in cooperation with NGOs, as well as with other agencies and bodies within the United Nations system. The human and material resources at UNHCR's disposal were far below the demands made on it and the High Commissioner's clear focus was invaluable in upholding values cherished by mankind.

18. Mr. MADEY (Observer for Croatia) said that the Executive Committee's current session was taking place at a very important time, when crucial political decisions were shaping the future of many countries and the destinies of their populations and when huge numbers of refugees and displaced persons were seeking shelter and finding substantial help through international humanitarian aid, of which UNHCR was one of the most important sources.

19. During the four years of horrifying war resulting from Serbian aggression against Croatia and then Bosnia and Herzegovina, the Republic of Croatia had borne the burden of caring for over 1 million refugees and displaced persons, even though its economy was being adversely affected. The total war damage in Croatia amounted to over US\$ 20 billion. Despite those difficulties, the Republic of Croatia had provided over US\$ 2 billion to care for refugees and displaced persons and a further DM 420 million for the schooling and health care of displaced persons. Those figures showed that the bulk of the burden of providing for refugees in its territory had been borne by the Republic of Croatia, whose efforts should be recognized. He also drew attention to the genocidal practice of ethnic cleansing engaged in by the Serbian aggressor in areas of Croatia and Bosnia and Herzegovina and emphasized that, in appraising the dimensions of the humanitarian catastrophe and large-scale displacement of population, the fundamental causes resulting from the Serbian aggression should not be disregarded.

20. The lessons learned from that unprecedented humanitarian catastrophe would be very helpful in preparing for the forthcoming phase of repatriation and return of refugees that would hopefully result from a comprehensive peace agreement in Bosnia and Herzegovina and Croatia. Paradoxically, the problem of providing shelter in a time of aggression might prove to be relatively easier than the organization of the repatriation and return of refugees and displaced persons to their homes. Many persons might not be aware of the magnitude and requirements of that task within the framework and criteria of international conventions.

21. The Republic of Croatia was already in a position to organize the return of displaced persons and refugees to the liberated territories. A decree on returnees had recently been adopted to facilitate the process. The Government had decided to speed up the homecoming of 121,000 persons, who had been divided into three groups on the basis of the extent of the damage to their houses. In addition to assistance with reconstruction, returnees were entitled to financial welfare, humanitarian aid and complete health care. The duration of returnee status depended on the possibilities of economic revival in each area. Certain conditions had to exist for refugees to return, but they were not easily secured. The process of return thus had to be organized and encouraged - if only because many refugees did want to return home and to see their areas reconstructed and developed both socially and economically.

22. Croatia was currently accommodating over 400,000 refugees, who made up one tenth of its population. It had been bearing that burden for over four years and its available resources were increasingly limited. The announcement by the Government of Croatia of measures relating to return had been somewhat incorrectly interpreted by the media and by some humanitarian organizations. The Government had and would continue to do everything within its means to ensure that the requirements of international conventions concerning refugees and human rights were met as fully as possible.
23. Between 10,000 and 15,000 refugees were expected to return to safe areas in Bosnia and Herzegovina, and not 100,000, as had been stated by some. A meeting had been held on 11 October between high officials of Croatia and Bosnia and Herzegovina to prepare for the return, which was to be organized gradually, in accordance with the provisions of international conventions, to safe areas, on a voluntary basis and with dignity. No discrimination based on religion or nationality would be practised in connection with the return and it would be conducted in accordance with the Agreement on the Return of Refugees signed in Zagreb on 24 March 1995 between the Governments of Croatia and of Bosnia and Herzegovina. The Coordination Committee for the return of refugees would start functioning within a fortnight and take decisions on the beginning of organized return in cooperation with international humanitarian organizations.
24. International aid for the return of refugees in the territory of the former Yugoslavia was not only welcome, but also necessary to ensure the safe, dignified and timely return of all displaced persons to their homes after the conclusion of a peace accord. His delegation joined in appealing for help to assist the victims of that horrible war that was hopefully coming to an end; without substantial help, it would be too difficult to execute plans for a stable peace or to build conditions for safe return to the areas destroyed during the war. That issue would rank high on the agenda of the proximity talks due to begin on 31 October 1995 and on the agendas of all other relevant conferences.
25. Some countries and officials of the United Nations and international organizations had voiced concern about certain developments and about acts adopted by the Government of Croatia, which was nevertheless aware that it had yet to establish full control over the reintegrated territories and that the establishment of civilian authority had been slow and not without incidents. Grave breaches of international humanitarian law could not and would not be condoned by the Government of Croatia and, accordingly, a total of 661 cases of looting, 27 cases of arson and 7 confirmed and 35 suspected cases of murder had been reported in the reintegrated territories. Twenty-four people had so far been detained on suspicion of committing or abetting violations of Croatian criminal law and breaches of international humanitarian law.
26. Full respect for the human rights of all Croatian citizens was a primary goal for the Government of Croatia and, in that connection, his delegation wished to assuage fears about the property rights of the ethnic Serbs who had left Croatia and whose property was now regulated by the recently instituted Sequester law. That law did not call property rights into question, but was designed to regulate the property to mitigate the problem of looting and

destruction. Any property currently in the care of the Government of Croatia would be returned to its original owners or compensated for as part of the overall peace settlement in the region.

27. Croatia was aware of its responsibilities and of the magnitude of the task which awaited it and for which it was preparing with the cooperation of various international organizations, including the Council of Europe and the Central European Initiative. Most of the work lay ahead and new structures of organization and coordination would be established within which UNHCR was expected to play a major role. Cooperation to perform the task had to be efficient, as it would affect the destinies of thousands, but it also had to respect the role and responsibilities of each partner in the process, thus developing the confidence that was not easy to build, but was easy to undermine.

28. Mr. von BERNUTH (International Council of Voluntary Agencies), speaking on behalf of the NGO community, expressed appreciation for the way in which the recommendations of PARinAC had been implemented by UNHCR to address issues of cooperation and consultation with NGOs across a wide range of policy and operational questions. The High Commissioner was personally to be commended for calling attention to human rights violations by Governments in Europe, Africa and, most recently, Latin America. NGOs encouraged the Executive Committee to reaffirm its commitment of openness by inviting their representatives to participate in the meetings of the new Standing Committee of the Whole. In particular, NGOs wished to emphasize the importance of building confidence about refugee policy-making, reflecting the convergence between human rights and humanitarian concerns, and of countering the widespread perception that asylum policies in both underdeveloped and industrialized countries were continuing to move in a restrictive direction.

29. NGOs were also very concerned about refugees and internally displaced populations living beyond the reach of international assistance. Governments should actively support measures to end violations of human rights and humanitarian law and to provide access by monitors and representatives of civil society to ensure protection and assistance. In that regard, NGOs strongly condemned the forcible repatriation of thousands of refugees by the Government of Zaire and its setting of a deadline for the return of the remaining Rwandan refugees, as well as the use of force to hold refugees hostage in the camps and to impede voluntary repatriation. Pressure must be brought to bear on the Government of Zaire to reverse its decision and the necessary steps must be taken to separate the militia and other armed elements in the camps from the general refugee population and to institute processes promoting individual determination of status.

30. NGOs were prepared to collaborate with the High Commissioner to develop proposals for the enhanced implementation of international protection and to submit a report to the forty-seventh session of the Executive Committee. With regard to internal management priorities and structures, NGOs recommended that the status of the Division of International Protection should be reviewed and that the Division should be provided with the necessary resources to reflect the overall importance of international protection as the core purpose of UNHCR.

31. The normative and institutional framework for responding to the needs of internally displaced persons was insufficient and UNHCR should continue to support efforts to develop standards for the protection of those people and to participate actively in the work of the inter-agency task force, which provided a forum for the integration of human rights and humanitarian concerns for internally displaced persons.

32. In that regard, NGOs appealed to the international community to urge the Government of Sierra Leone to ensure security along main access routes so that relief supplies could reach the millions of refugees from Guinea and Liberia, as well as internally displaced persons, who were at dire risk. They also appealed to the international community to honour the promises of aid to Rwanda so that the Government could fulfil its obligations to reconstruct the country and create conditions that would promote justice, reconciliation and peace.

33. Even after the genocide in Rwanda, the international community was again showing signs of reluctance to take urgent action to end the "creeping" genocide in Burundi. In the Great Lakes region, immediate international action was required, with the involvement of local participants and especially women. Strategies should include initiating dialogue among the warring parties to end the bloodshed within a given time-frame and under the auspices of the Organization of African Unity.

34. With regard to the most vulnerable of refugees, NGOs welcomed efforts by UNHCR to ensure the implementation of its guidelines on protection and care of refugee children. The progress report called for by the Executive Committee on the implementation of the guidelines should be submitted annually and for general distribution. NGOs also called on the Executive Committee to reaffirm the importance accorded to the implementation of women's policies. Priority should be given to establishing institutional frameworks and promoting the positive attitudes necessary to translate those policies into practical action. Women and children comprised the vast majority of refugees and there was a need to predict and monitor the impact of any policy or programme on their well-being.

35. NGOs called on UNHCR and Governments to support women's initiatives in conflict resolution and to build on the experience of women's peace initiatives and urged UNHCR to coordinate with UNIFEM and UNICEF to ensure that women participated in peace negotiations.

36. NGOs appreciated the efforts to address reproductive health through the inter-agency symposium and urged the speedy finalization and utilization of the field manual on reproductive health.

37. The protection of women's rights demanded accountability of the perpetrators of gender-based war crimes against women and girls and the protection from persecution or threat of persecution of those wishing to provide evidence. To secure those objectives, UNHCR should actively promote compliance with the Convention on the Rights of the Child and other human rights instruments. In emergencies, staff of international and local NGOs, host country officials and refugee leaders should be given training in human rights issues.

38. Both UNHCR and the NGO community were under increased critical scrutiny. In that context, NGOs believed that the PARinAC processes and the relationship between NGOs and UNHCR that PARinAC embodied presented both opportunities and challenges to develop mechanisms for increased accountability for, and responsible stewardship of, the resources they collectively managed.

39. Mr. SZYNALSKI (World Food Programme) said that the Economic and Social Council discussions in June and the calls for a review of collaborative arrangements between operational agencies of the United Nations system concerning relief assistance had underscored the importance of the partnership between the World Food Programme (WFP) and UNHCR. With the increase in the number of refugees and the need to extend protection and assistance to internally displaced persons, that cooperation had become crucial to the international relief system.

40. In 1996, WFP would be facing the challenge of providing basic food assistance to about 20 million refugees and internally displaced persons. In practical terms, that meant delivering over 2.5 million tonnes of food valued at US\$ 1.2 billion. The Rwanda regional operation alone had over the past year required the procurement, transport and delivery of more than 50,000 tonnes of food every month to areas difficult of access. On the whole, the operation had been a success, with little talk of starvation or malnutrition. With resources dwindling earlier in the year, the generous response to a joint appeal by the Executive Director of WFP and the High Commissioner had made it possible to redress the situation rapidly and the nutritional situation of refugees and internally displaced people - almost 3 million in total - in the Rwanda/Burundi regional operation had remained stable.

41. That example and the general success of the joint working arrangements of WFP and UNHCR should not obscure the fact that there had been some problems in the relationship, but they were being addressed through regular meetings and adjustments to work plans. The first revision of the memorandum of understanding had taken place in January 1994, a permanent task force was meeting at least twice a year to review problems and WFP and UNHCR now held regional meetings on critical operational issues in specific situations, such as that in the Great Lakes region.

42. Joint food needs assessment missions were continuing to be fielded in 1995. In the case of the Liberia regional operation, which involved a phase-out strategy, WFP and UNHCR had worked out an approach that should allow a gradual reduction in food aid with the parallel development of a rehabilitation programme guaranteeing a safety net to the most vulnerable, particularly children.

43. Phase-out strategies nevertheless raised the delicate question of how far refugees who had achieved self-reliance in hosting countries should continue to be supported by the international community. WFP was unable to guarantee donor sympathy for continued feeding. Efforts to set time-frames and agree on repatriation packages had been beset by requests for delays and "reviews". WFP did not set repatriation policy: it agreed to it with UNHCR. His

organization believed that it should be more involved in the tripartite discussions so that food aid, an important component of repatriation, was properly considered as a factor in the programme.

44. The approach to rehabilitation and development was being tested successfully in Mozambique, where some 1.2 million refugees had been repatriated and were being absorbed in the country's economy with relative ease. The combination of food and non-food assistance and the collaboration of NGOs and the Government of Mozambique had been exemplary. It was hoped that a similar programme, albeit in more difficult circumstances, could be replicated in Angola.

45. Talks between WFP and UNHCR had identified a number of points on which the two organizations needed to work further together. They related specifically to better control of communications and information on the food pipeline; common understanding of who should do what in the case of food supply breakdowns; consultation regarding local food purchases; closer dialogue on the supply of non-food needs which combined with food requirements to create conditions conducive to the well-being of refugees; cooperation in census and registration activities at the beginning and particularly within about three months of an emergency; the food basket and the adequacy of the current minimum ration level, for which a revised figure was expected to be agreed upon to take account of current thinking on what was a "reasonable" calorie, micronutrient and vitamin content of a daily food ration; and emergency training, where the approach for 1996 was being revised to combine operational and management aspects.

46. One of the main challenges was inequity in distribution even in the case of regular and adequate food supplies. Research suggested that concentrating on households as a unit and targeting women might guarantee equity at the beneficiary level. As a result, WFP's commitment at the Beijing Conference included giving particular attention to that aspect of its relief operations and WFP would be working with UNHCR to improve the system.

47. It was important to note that the WFP and UNHCR memorandum of understanding was a framework and not a straightjacket. For example, there were different collaborative arrangements in the former Yugoslavia from those in the Great Lakes region of Africa. Cooperation was based on assessment of the situation on the ground, on inputs or assistance of other partners and on practical considerations. In general, the flexibility of the relationship had been a key to its success.

48. In conclusion, he paid tribute to the strong support of the donor community and the generosity of the countries hosting refugees and those others which helped WFP provide assistance to the displaced. WFP had made considerable efforts to address the issues of financial control, losses, better management practices and accountability, but there was little that could be done to control the number of people that needed food assistance. Cutting aid would not resolve the problem and would most likely exacerbate it, creating more refugees and displaced persons. Addressing the "root causes" of emergencies was not an easy matter and there was a strong feeling that development was the only answer to poverty and the conflict that resulted from it. WFP's development programme was now overshadowed by relief operations,

but that was not from choice and WFP wondered whether cutting at the development end was a solution, or even a good move, at the present time. The introduction of the programme approach in its planning and resource allocation process might help to link relief with rehabilitation and development more effectively. WFP hoped for continued support in that endeavour.

49. Mr. LE LUONG MINH (Observer for Viet Nam) commended the tireless efforts and dedication of the High Commissioner and her staff in working to relieve the sufferings of millions of people around the world. While there had been substantial improvements over the past five years in many aspects of world affairs, the refugee situation continued to be appalling. There were some 27.4 million people of concern to UNHCR, about 14.5 million of them being refugees.

50. Armed conflict, outside interference, poverty resulting from war and economic backwardness in developing countries were very often the root causes of outflows. Refugee problems could be solved only in a comprehensive manner through the joint efforts of all parties concerned and of the international community in general on the basis of mutual understanding, responsibility, cooperation and solidarity. In addressing each problem, whether in the field of protection or in the field of assistance, UNHCR always played an essential role.

51. A fine example was the Comprehensive Plan of Action for Indo-Chinese Refugees. Since 1989, under that Plan, thousands of Vietnamese had been resettled in third countries and about 75,000 had come back to their homeland from first-asylum countries under voluntary repatriation and orderly return programmes. The first-asylum countries had shown their utmost sympathy and patience, donor countries had extended their generous assistance and UNHCR had carried out its humanitarian mandate in a most effective manner.

52. As the country of origin, Viet Nam had done whatever it could to meet its commitments, cooperating in repatriation and reintegration programmes, extending humanitarian treatment to returnees and facilitating monitoring activities. His Government would continue to cooperate with UNHCR and all parties concerned to implement the voluntary repatriation and orderly return programmes, on the basis of safety, respect for dignity and international assistance, and to work for the completion of CPA. It was aware of the new complex developments that made the implementation of the memorandums of understanding it had signed with neighbouring ASEAN countries difficult, but was convinced that, with mutual good will and trust, it would be possible for them to work together to find suitable solutions.

53. Before concluding, he wished to touch on another issue that had been raised. In 1979, at the call of their home Government, hundreds of thousands of citizens of a neighbouring country who had come to Viet Nam to earn a living had left Viet Nam for their native country. Those people were not refugees. They had settled for the past 16 or 17 years in their own country and their lives had been stabilized there. It was appropriate that they should remain in their country. The international community should continue to extend necessary assistance to them and refrain from discussing the matter further.

54. Mr. KA (Observer for Senegal) said that, a few years earlier, an eminent politician speaking in the United Nations had said that politics were a worse calamity for mankind than natural disasters. In the 50 or so conflicts now going on in the world, lack of respect for the civilian population was the main characteristic and it was being used to achieve military and political objectives. As a result, humanitarian action had become an essential tool for the maintenance of international security.
55. UNHCR's international system of assistance and protection was constantly changing to meet growing and increasingly complex needs.
56. There had always been three possible durable solutions to the refugee problem, namely, return to the country of origin, transfer to another host country and local integration, but UNHCR's main challenge at present was the protection of refugees. That meant material assistance, physical protection and making the right of asylum more widely applicable.
57. When entire populations suddenly moved from one country to another, they inevitably upset the geographical, economic, social and political balance of the country of asylum. The social cost of underdevelopment became heavier, tensions rose and conflicts easily flared up between the displaced persons and the local population and living conditions in the camps deteriorated. Displaced persons then faced the threat of involuntary repatriation without safeguards.
58. Although humanitarian action was central to the solution of refugee problems, it had to be more wide-ranging and effective and the international community had to be more prepared to mobilize the requisite financial resources.
59. It was intolerable that, at the end of the twentieth century, millions of refugees should be languishing in camps. The international community's aid had been substantial, but inadequate.
60. UNHCR's general programmes should give priority to Africa, which produced and received the most refugees.
61. The Organization of African Unity had made great efforts to protect refugees and prevent mass movements.
62. The widening of the concept of "refugee" in the 1969 OAU Convention had proved to be valuable in situations where it had been impossible to process individual applications for the granting of refugee status.
63. A conflict prevention and management mechanism could become fully operational with the support of the international community. The period of time, the number of persons involved and the reception facilities required and available had to be estimated if a warning system was to be successful. He hoped that OUA and UNHCR activities would be coordinated in Africa and paid tribute to the High Commissioner and her staff, especially those working in the field.

64. Mr. de COURTEN (International Committee of the Red Cross) said that, in the former Yugoslavia, the ceasefire was a glimmer of hope for millions of civilians, although it would be along time before life returned to normal. Only a few days earlier, civilians had been caught between opposing armies and hundreds of thousands of people had been forced to leave their homes as a result of ethnic cleansing. That scandalous policy was still being pursued and had to be stopped.
65. The international community would have to make substantial efforts to rebuild entire regions in ruin. As soon as a ceasefire came into force in a country, ICRC had to be notified of and be given free access to any detained person and the parties involved had to search actively for any person who had disappeared. The ICRC Central Tracing Agency had a key role to play in that regard. ICRC was making a substantial contribution to the rebuilding of trust by working on practical solutions to those urgent problems. In the former Yugoslavia, however, winter was approaching and ICRC emergency assistance was still required. Its aim should be long-term rehabilitation. If the political situation stabilized, ICRC could gradually hand over to specialized agencies responsible for reconstruction and development projects.
66. With the hope of a peace settlement came the crucial question of the repatriation and return of refugees and displaced persons. Hasty decisions could impede the peace process. The refugees' return in safety and dignity had to be ensured.
67. Even when hostilities had ceased, security risks still existed and acts of violence continued, as the cases of the former Yugoslavia and Rwanda showed. A hasty return in the absence of suitable psychological and physical conditions, especially housing, could revive tension.
68. A system to compensate refugees fairly for the property they had lost should be introduced. Taking over someone else's home was not a solution. Mines were another serious problem and it was regrettable that the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held in Vienna from 25 September to 13 October 1995, had not reached a decision on that subject.
69. The example of Rwanda demonstrated that over-rapid repatriation would be accompanied by mass arrests, which make living conditions in detention centres even worse.
70. Certain conditions had to be met: repatriation had to be voluntary and non-refoulment was a universally recognized principle. It was vital that individual refugees should be able to say that they feared persecution if they returned to their country of origin. He called on States which had taken in war victims to continue to show solidarity.
71. Only close coordination among all those concerned would make it possible to contend with the size and complexity of the challenge. Special attention

had to be paid to social welfare facilities for persons who returned home. The National Red Cross and Red Crescent Societies and their International Federation had an important role to play in that regard.

72. While the return of refugees and displaced persons was a burning issue in Rwanda and the former Yugoslavia, there were many other problems for which no solution had been found, as in the Caucasus, Afghanistan, Liberia and Somalia.

73. The twenty-sixth International Conference of the Red Cross and the Red Crescent, to be held in Geneva in December 1995, would discuss ways of improving respect for international humanitarian law as a means of helping to prevent forced displacements of populations.

74. Concerted action among the various operational organizations continued to be of vital importance and UNHCR and ICRC were determined to avoid any duplication of effort.

75. MR. BELO-CABAN (Observer for the Slovak Republic) said that forced population displacement was an immediate consequence of war and political instability. The refugee problem was closely linked to the overall aim of the United Nations and its Member States to prevent and resolve any conflict which might endanger international peace and security.

76. The Slovak Republic had recently started to admit immigrants for a short period of time. The Slovak authorities had been endeavouring to create a new legislative and institutional base for migration and refugees. A new law on refugees would enter into force on 1 January 1996. It would improve the asylum procedure and allow refugees to apply for citizenship after they had been living in the country for five years.

77. He was pleased to note that the migration situation in his country had stabilized. It had recorded 241 asylum applications in 1995, granted 2,000 immigrants from the former Yugoslavia refugee status and would continue to grant refugees from the former Yugoslavia temporary protection in future. The main priority was to integrate refugees into Slovak society. The Slovak Republic would try to solve the problem of the shortage of jobs and housing with UNHCR's assistance. A joint UNHCR-Slovak Migration Office project launched at the start of 1995 made provision for grants to persons with refugee status.

78. The Slovak Republic was cooperating with other countries and international organizations dealing with migration and refugee policy and had applied to join the International Organization for Migration.

79. UNHCR had been confronted with unprecedented challenges in the past year. He greatly appreciated all that it was doing to solve migration problems and implement an effective refugee policy in Central and Eastern Europe and throughout the world.

80. MR. MOMANYI (Observer for Kenya) said that many encouraging changes had taken place since the Executive Committee's last session. In Africa, there had not been any new major refugee movements, although the situation in Rwanda and Burundi was still causing much anxiety. Tribal animosity had resulted in

massive, totally unprecedented atrocities and the internal displacement of thousands of persons. Furthermore, Rwandan refugees were placing a great strain on neighbouring countries.

81. The international community had done much to alleviate the suffering of the Rwandese people, but more action was needed to encourage the voluntary return of refugees to their countries of origin. To that end, emphasis had to be placed on community rehabilitation focusing on health and education.

82. Since the 1940s, Kenya had played host to both Hutu and Tutsi refugees from Rwanda and Burundi, most of whom had integrated into and become part of the Kenyan community. The Government of Kenya appreciated the difficulties involved in tackling the Rwandan situation and supported the international community's efforts in that regard. Any measures for that purpose would have to be comprehensive and the United Nations Tribunal on Rwanda should look into all the issues leading up to and including the genocide itself, for, otherwise no just, lasting solution could be found in Rwanda and Burundi.

83. The number of refugees in Kenya had dropped substantially owing to voluntary repatriation and the resettlement of refugees in third countries. The voluntary repatriation of Somali refugees had been very encouraging, but there were indications that a resumption of hostilities might produce a fresh flow of refugees. In that event, the international community should be prepared to provide appropriate assistance.

84. The Government of Ethiopia had enabled many Ethiopian refugees in Kenya to return home. The strife in Sudan was still producing an influx of refugees into Kenya and he appealed to the Government of Sudan to facilitate their voluntary return. Furthermore, he appealed for assistance to rehabilitate the environment and improve the security situation which had been damaged in the northern and coastal parts of Kenya as a result of the large number of refugees.

85. The cordial relationship between the Government of Kenya and the UNHCR office in Nairobi had enabled his country to manage the refugee situation quite successfully and to reduce crime in and around refugee camps. UNHCR's construction of a hospital in the Dadaab camp had benefited not only the refugees, but also the local population. The successful repatriation programme had made it possible to close two refugee camps and a third was in the process of being shut down.

86. Kenya would continue to fulfil its obligations towards refugees under the 1951 Convention, the 1967 Protocol and the 1969 OAU Convention. While it was not his Government's policy to force refugees to leave, one of its aims was to relocate some camps to safer areas.

87. Kenya was happy to note that a considerable number of refugees had been able to settle in third countries. That had given them a future and had reduced the number of refugees in Kenya.

88. He thanked all of the organizations involved in the Kenyan refugee programme, as well as the countries which had helped Kenya to contend with the problem. He paid special tribute to the Ford Foundation for providing funds to train officials dealing with refugees.
89. Visits to other countries and exchanges of experience would also improve his country's knowledge of the management of refugee issues.
90. Mr. RANDOLPH (Observer for Benin) said he had informed the forty-fourth session of the Executive Committee that, in early 1993, several hundred thousand Togolese had fled to Ghana and Benin to escape the insecurity resulting from their country's transitional difficulties. His country had taken in over 150,000 Togolese refugees, who had been spontaneously accommodated in Beninese families. In order to cope with the Togolese exodus, Benin had obtained assistance from the international community. A multidimensional aid programme had been set up and, as a result of it, there had been no epidemics or chronic malnutrition. His country was grateful to all those who had contributed to the programme.
91. Many favourable developments had occurred since the Committee's last session: the Togolese Government had adopted an amnesty law; a pilot project had led to the voluntary repatriation of over 7,000 persons; and negotiations between UNHCR and the Togolese Government had resulted in the signature of an agreement on the voluntary repatriation of refugees. Registration operations with a view to return were under way. The total number of Togolese refugees had dropped considerably, from 150,000 in 1993 to some 36,000 on 30 September 1995. NGOs had played a particularly active part in the implementation of the programme to assist Togolese refugees.
92. Under the terms of international instruments on the status of refugees, repatriation was a voluntary act and depended on the individual decision of the persons concerned. Some Togolese refugees did not yet wish to return home for a variety of reasons and they would continue to benefit from asylum and Benin's protection.
93. As the Executive Committee's forty-sixth session coincided with the commemoration of the fiftieth anniversary of the United Nations, it offered a good opportunity to assess action to promote peace and to consider fresh guidelines to deal with the major changes now taking place.
94. UNHCR's humanitarian action to assist refugees and restore peace had not always been easy and had often been carried out in dangerous conditions. Benin paid tribute to those who had given their lives for the humanitarian cause.
95. The international situation showed that refugees were more the product of violations of human rights than of natural disasters. The end of the cold war had paved the way for particularly bloody inter-ethnic conflicts which had had dramatic consequences for man and his environment. The figures were alarming and Africa, the least developed continent, beat all the records with 7 million refugees and 20 million displaced persons. Benin was deeply concerned by that situation.

96. Africa's development and the survival of its peoples would depend on whether a solution could be found to the refugee problem. While efforts had to continue to be made to improve UNHCR's response and fund-raising capacity, solutions to the root causes of the problem had to be explored in greater depth.

97. The situation called for energetic action by the African countries to mobilize and develop the continent. They were making progress. They had set up machinery to prevent, manage and settle conflicts, as shown by the establishment by the ECOWAS countries of ECOMOG and its deployment in Liberia since 1990. Many countries were carrying out difficult, but essential political and economic reforms. There were moves to promote a democratic culture based, *inter alia*, on the teaching of human rights, respect for the principle of power sharing, dialogue and popular participation. Regional integration was aimed at boosting the beneficial effects of the reforms carried out by individual States.

98. The international community should give greater support to those efforts in order to create a critical mass of democratic, prosperous States. As the President of the Republic of Benin had pointed out during his official visit to the United States in 1995, the world had become a global village and concerted action was needed. The benefits of development should be extended to all. That was the message behind the words "United for a better world".

99. Mr. De WINTER (International Organization for Migration) said that, in order to guide and situate itself within a cooperative framework with its partners, IOM had recently developed a strategic plan which it was discussing widely with member States and other agencies. It had been and was ready and willing to establish a more formal agreement on the need to ensure complementarity of action, partnership and an efficient division of labour.

100. In defining the respective roles of UNHCR and IOM, it should be borne in mind that IOM was a migration organization and not a refugee organization. When it became involved in matters affecting refugees, it did so in the closest cooperation with UNHCR. In direct cooperation with UNHCR, it had assisted the return of some 76,000 Afghans from Iran to Afghanistan and of 400,000 refugees and internally displaced persons in Rwanda.

101. In other parts of Africa, programmes were delineated according to the multi-agency consolidated appeals in which both IOM and UNHCR participated. Angola and Liberia were good examples of how that inter-agency planning helped ensure that organizations played the roles in which they had a comparative advantage.

102. In the former Yugoslavia, under a tripartite agreement with UNHCR and the International Committee of the Red Cross (ICRC), IOM was responsible for the tracing, notification and transportation of family members whose relatives resided in receiving States. The programme had reunited over 18,000 family members in 21 countries. Since May 1995, IOM had also prepared 800 cases for final UNHCR refugee screening. A joint UNHCR/IOM programme, working closely with the United Nations Protection Force (UNPROFOR), had arranged for the evacuation of over 1,250 patients for urgent medical treatment in third countries.

103. Under the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA), IOM had continued to administer the Orderly Departure Programme from Viet Nam. Two other aspects of CPA in which it was closely associated with UNHCR - the voluntary return programme and resettlement - had tapered off significantly as CPA had wound down. The continued presence of some 40,000 screened-out asylum seekers in first asylum camps in South-East Asia remained to be addressed.

104. IOM had also joined UNHCR and the Organization on Security and Cooperation in Europe (OSCE) to form the Secretariat to prepare for the conference on refugees, returnees, displaced persons and related migratory movements in the CIS and neighbouring States. The costs of many of those cooperative activities with UNHCR would be much more transparent under a recent agreement reached between the two organizations.

105. The internal accounting procedure of "projectization", whereby all costs incurred by a particular programme were attributed to that programme, had been extended beginning in 1996 to all joint activities with UNHCR. In addition to activities carried out in close cooperation with UNHCR, IOM implemented other programmes that dealt with migrants who were not refugees. Among them were programmes implemented in favour of the return home and reintegration of demobilized soldiers in Mozambique, Haiti, Angola and, soon, hopefully, Liberia. Those programmes included technical cooperation to strengthen the institutional capacities of countries to manage migration; language and cultural orientation training for migrants; assisted return programmes for irregular migrants and unsuccessful asylum-seekers; and programmes to place, transport and reintegrate particularly qualified individuals to their countries of origin or other countries.

106. Mr. ZUKHUROV (Observer for the Republic of Tajikistan) said that his country was currently experiencing the most difficult period in its history. Over 850,000 people had become refugees and internally displaced persons as a result of the civil war and practically every third citizen had suffered in some way during the course of the armed conflict. The situation had been aggravated by the consequences of the unprecedented natural disasters of 1992-1994. The damage done to the national economy by both the armed conflict and the natural disasters was estimated at 14 trillion roubles.

107. During that difficult period and during the transition to a market economy, however, Tajikistan had been given a helping hand by a great many States, international organizations and non-governmental organizations, primarily UNHCR, IOM, the ILO, OSCE, ICRC and the European Union. Thanks to that humanitarian aid, the country had succeeded not only in returning and accommodating most of the refugees and internally displaced persons, but also in stabilizing the districts and villages to which they had returned. Nevertheless, new problems and difficulties kept emerging, including those of the accommodation, employment and the social protection of refugees and their reintegration into the country's socio-political life during a deepening economic crisis. Four rounds of inter-Tajik talks, mediated by the United Nations, had already been held, and the President of Tajikistan and the head of the Tajik opposition had recently signed a protocol on the basic principles for establishing peace and national reconciliation.

108. Probably the main result of his Government's joint activities with UNHCR was the return of most of the refugees and internally displaced persons to their places of origin. Out of 697,000 internally displaced persons, more than 676,000 had already returned to their places of origin, while over 40,000 refugees had returned to their homeland from Afghanistan. The process of returning compatriots from CIS countries had also begun. However, the majority of refugees and internally displaced persons were returning to war-damaged, burnt and plundered homes and many of them still remained without shelter or lived in temporary buildings or tents. With winter approaching, economic difficulties, including the shortage of food and clothing, posed a threat to tens of thousands of socially vulnerable people. Among the refugees and internally displaced persons, 55,000 families had lost their breadwinners and more than 55,000 children had become orphans. Despite all that had been accomplished, more than 190,000 people still remained in CIS countries; between 10,000 and 12,000 had not yet returned from Afghanistan; and more than 7,000 of them were temporarily staying in the Gorny Badakhshan Autonomous Region. There were still more than 18,000 wrecked homes to rebuild.

109. At present, Tajikistan could not cope alone with the complex problems of returning and housing the internally displaced persons and refugees still remaining outside the country. It was very much in need of help from the international community, international organizations and primarily UNHCR. It was therefore a matter of extreme importance that UNHCR's mandate should be extended until 1996.

110. The Government was grateful to UNHCR for having rebuilt 17,000 wrecked homes in the Khatlon region, which had suffered the most during the civil war. It welcomed UNHCR's decision to finance Save the Children/United States in providing building materials for the reconstruction of an additional 1,000 homes. It further supported the Memorandum of Understanding signed by UNHCR, Save the Children/United States and other agencies to finance and implement three projects on an economic survey, NGO capacity-building training and a study of small enterprise development.

111. His Government would like to have assistance from the United Nations Development Programme (UNDP) in developing small enterprises, especially in the districts to which refugees and internally displaced persons had returned. In view of the difficult employment situation, particularly among the returned refugees and internally displaced persons, the Government would also appreciate increased implementation of UNHCR's small enterprise programme. It was time to start small enterprises producing materials, clothing, oil, tinned goods and other consumer items of which returnees were greatly in need. A new joint appeal should be made for humanitarian aid for Tajikistan from international organizations for the rest of 1995 and 1996 and, in that regard, the Government requested support from UNHCR. It was also time to consider the question of admitting Tajikistan as a member of the Executive Committee.

112. Ms. AROCHA RIVAS (Venezuela) said that her country fully supported UNHCR's new priorities, including a revitalized strategy for international protection and planning based on a comprehensive approach, as well as the formulation of a prevention plan for internally displaced persons. Such measures, combined with enhanced preventive action, the political will of

States and international efforts to solve the root causes of the problem, would make it possible to find a medium-term and long-term durable solution.

113. With regard to international protection and, in particular, the need for the legal protection of massive flows of refugees, Venezuela was concerned that certain violations of the right of asylum persisted and that restrictive measures were being imposed that were contrary to the principle of international protection. Such practices were also applied to internally displaced persons within territories in situations of armed conflict and to stateless persons.

114. Venezuela was in favour of setting up mechanisms to strengthen the national capacity of countries receiving large migratory flows. Voluntary repatriation as a durable solution required that rehabilitation, reconstruction and national reconciliation should be addressed exhaustively and efficiently. Her Government welcomed UNHCR's plans to give priority to the most vulnerable segments of the refugee population, mainly women and children, in planning and implementing strategies and general programmes.

115. In view of the current financial crisis of the United Nations system, including UNHCR, Venezuela favoured the establishment of priorities with respect to aid and assistance and supported all measures aimed at improving UNHCR'S working methods, including decentralization. Her Government attached great importance to the contribution of NGOs to UNHCR and supported the Partnership in Action (PARinAC) process, as well as the proposals to increase coordination among the different agencies and actors in the field. It welcomed the activities being carried out to improve statistical and information systems, as well as UNHCR's efforts to promote and disseminate standards on the rights of refugees.

The meeting rose at 1.05 p.m.



General Assembly

PRINCE

JV
UN

Distr.
GENERAL

A/AC.96/SR.504
27 February 1996

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-sixth session

SUMMARY RECORD OF THE 504th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 18 October 1995, at 3 p.m.

Chairman: Mr. LARSEN (Denmark)
later: Mr. MCHUMO (United Republic of Tanzania)
later: Mr. LARSEN (Denmark)

CONTENTS

GENERAL DEBATE (continued)

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE ON INTERNATIONAL
PROTECTION

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 3.20 p.m.

GENERAL DEBATE (agenda item 4) (continued)

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE ON INTERNATIONAL PROTECTION (A/AC.96/858)

1. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the report of the Committee of the Whole on International Protection (A/AC.96/858).
2. It was so decided.
3. Mr. SAHIQI (Observer for Afghanistan) said that, following the foreign occupation and prolonged war which had been imposed on its people and its economy, Afghanistan had suffered enormous losses. For various reasons, including foreign interference in its internal affairs, moreover, the country had not been able to achieve peace and thus pave the way for the repatriation of refugees. As events in the past three years had shown, the refugees would immediately start returning home as soon as the country was in a position to overcome the problems it now faced.
4. With regard to the political aspect of the current crisis, the leadership of the Islamic State of Afghanistan had always supported the efforts of the Special Representative of the Secretary-General of the United Nations aimed at a settlement and hoped that an acceptable mechanism would be worked out for the smooth peaceful transfer of power to an authority that represented the people of Afghanistan. Unfortunately, the current conditions were not conducive to the repatriation of refugees. Over 10 million mines had been spread throughout the territory, the country suffered from a lack of shelter and safe places, its agricultural and water resources systems had been destroyed, educational, health, communication and transportation facilities were non-existent, United Nations agencies, donor countries and international institutions had provided limited assistance to refugees who had returned home and the country lacked the resources and technical assistance that would enable returnees to engage in productive activities and become self-reliant.
5. Of course, the political reasons that had forced millions of Afghans to take refuge mainly in the neighbouring countries had mostly disappeared. Only international assistance would enable the refugees to return home and ease the burden borne by Pakistan and Iran for so many years. Two tripartite commissions were dealing with all problems involving Afghan refugees living in those two countries. They would have to make intensified efforts to create the required conditions for the refugees' voluntary and safe return, having in mind the resources available in Afghanistan.
6. There was no denying the fact that only the generous assistance of donors would enable Afghans to start the reconstruction and rehabilitation of their country. However, it was argued that, because of the lack of security in some parts of the country, international assistance would not reach the needy and that the appropriate time had not come for giving Afghanistan economic and technical assistance, but any delay in the resumption of reconstruction and rehabilitation activities would further prolong the war and the suffering of

the Afghan people, especially the refugees. Only internal peace and security, the availability of international support, appropriate measures aimed at meeting the immediate needs of the returnees and the reconstruction of infrastructure would encourage Afghan refugees to return home and enable them to live in dignity. The Afghan Government had welcomed the recent mission by the Under-Secretary-General for Humanitarian Affairs to Afghanistan to draw the attention of the international community to the problems faced by the Afghan people, including the refugees, and hoped that his appeal for humanitarian assistance would be met with a positive response.

7. Mrs. HART (United Nations Children's Fund) said that UNICEF's long-term presence in developing countries and knowledge of the situation of women and children put it in a position to assess, analyse and provide a strategic initial response to the needs of the most vulnerable, while facilitating the implementation of development programmes to enable both family and community to become self-reliant.

8. UNICEF was currently involved in an extensive review of its role and effectiveness in emergency situations. Consequently, it would submit recommendations to its Executive Board in January 1996 for a new strategy based on a broad appreciation of the needs of children. UNICEF would try to satisfy all the needs of all children without discrimination whenever they were affected by crises, whether they were in their own communities, displaced within their country or refugees.

9. Even before the adoption of the Convention on the Rights of the Child, UNICEF had evolved a unique mandate as a neutral advocate and mediator for children as zones of peace. That had meant actively advocating and negotiating with conflicting parties to guarantee the access of women and children to essential food and relief and to respect humanitarian principles. She had taken note with great satisfaction that UNHCR was consistently promoting the use of the Convention as a framework for meeting the needs of refugee children and UNICEF looked forward to closer cooperation with UNHCR in promoting humanitarian principles and adherence to codes of conduct.

10. UNICEF would consistently pay special attention to the needs of children in distress, as well as to unaccompanied children, traumatized children, child prisoners and child combatants. It was strongly committed to cooperation with sister agencies according to their respective mandates and terms of reference and saw its role as one of bridging humanitarian assistance and development, since its strength was its implementing capacity in the field. Given their interrelated mandates, with UNHCR approaching the protection of the vulnerable from the refugee perspective and UNICEF approaching it from the point of view of children in their country and community of origin, they had to ensure that their activities were closely coordinated.

11. By agreement with UNHCR and other organizations, including the International Federation of Red Cross and Red Crescent Societies and the International Committee of the Red Cross, UNICEF had adopted guidelines for assisting unaccompanied minors and traumatized children. Since the needs of children in humanitarian crises were enormous and resources were scarce, UNICEF was committed to optimizing its own efforts and to promoting the synergy which was essential to an effective and timely response.

12. Mr. FERY (United Nations Volunteers) said that UNV was proud to take part with UNHCR in the implementation of its strategy based on preparedness, prevention and solutions. In 1994, UNV specialists had supported the implementation of UNHCR programmes in areas as varied as emergency preparedness and response, reception, protection, transit, repatriation and resettlement and camp management. UNV had worked together with UNHCR in conflict situations, such as those in Rwanda and the former Yugoslavia. In 1994, some 200 volunteers had served with UNHCR in 27 countries; over 100 were serving at present, the majority in Rwanda, Burundi, Mozambique and the former Yugoslavia. To work even more efficiently together, UNV and UNHCR had established a mechanism rapidly to deploy United Nations volunteers to serve in emergency situations. The support of Governments, including Japan, Ireland, Sweden, the United Kingdom, Canada and the United States, had been crucial.
13. Host countries often lacked the necessary resources to receive refugees and there was thus an urgent need to strengthen the national capacity of the most affected States. In countries of origin, support was also needed to find sustainable solutions to halt the flow of persons in flight and to prevent the repetition of such tragic events. Solutions must necessarily include the prevention of problems through the use of the tools of conflict resolution and reconciliation efforts. UNV could contribute to community-based operations launched by UNHCR both in host communities and in countries of origin. At present, UN volunteers were at work in Burundi with the Special Representative of the Secretary-General and in Georgia in cooperation with NGOs and were contributing directly to the building of local capacities in community-based confidence-building, reconciliation, reintegration and peace promotion. In that context, UNV was prepared to build further linkages with UNHCR's quick impact projects (QIPS). Experienced professionals from both industrialized and developing countries recruited as UNV specialists for a duration of three months to two years could be fielded in virtually all sectors of UNHCR involvement.
14. Mrs. AHLUWALIA (International Federation of Red Cross and Red Crescent Societies) said that the International Federation and its member National Red Cross and Red Crescent Societies had a strong interest in activities on behalf of refugees and displaced persons throughout the world because over 60 per cent of their activities focused on those population groups. Those societies had been working closely with UNHCR for a long time and hoped that such cooperation would continue.
15. UNHCR's operations in the Great Lakes region of Africa and the plight of the refugees and displaced persons in Rwanda and the region had been of great concern to the International Federation. The recent decision to initiate the programme of safe return to Rwanda of refugees from Zaire required careful analysis and close cooperation between UNHCR and those organizations which were currently assisting refugees. That programme must be implemented at a pace that would enable the Rwandan authorities to receive the returnees. The international community must, as a matter of urgency, increase its support to the Government of Rwanda to ensure that both the population of Rwanda and the returnees were assisted adequately. However, that very exceptional situation must not become a standard for the future.

16. In the former Yugoslavia, the peace process, which appeared to be gaining momentum, must not be undermined by untimely returns or population movements. The International Federation endorsed UNHCR's cautious strategy with regard to repatriation, in particular the concept that persons who had taken refuge in neighbouring countries would be repatriated first and only to areas that were safe and ready to receive them. The Red Cross Societies in the region would continue to assist those in need.

17. Since there had been no new large-scale refugee emergencies in 1995 of the kind which had taken place in the Great Lakes region in 1994, the International Federation had been able to review its emergency response capacities, learn lessons from the Rwandan emergency and start setting up emergency response units which it would use in future situations.

18. A number of Red Cross and Red Crescent Societies was concerned about UNHCR's entry into private sector fund-raising. While it was, of course, understandable that the Executive Committee should want to establish a broader funding base and attract support among the general public, such campaigns should take care in future not to undermine existing fund-raising mechanisms of national organizations which were already carrying out refugee-related work. In that connection, she welcomed the High Commissioner's decision to suspend direct mailing activities in most donor countries.

19. With regard to protection, she agreed with the High Commissioner that emphasis should be placed on crisis prevention and on a more proactive approach in order to ensure conditions conducive to safe return. Such an enormous task could, however, be undertaken successfully by UNHCR only with the full and active support of Governments, effective coordination within the United Nations system and cooperation with the relevant local and international organizations. With its network of 163 National Red Cross and Red Crescent societies, the International Federation was prepared to play its appropriate role in that regard.

20. She also emphasized the need to integrate the problems of violence directed specifically against women and the situation of child soldiers into existing programmes. Greater attention had to be paid to reproductive health and psychosocial support. In several areas, anti-personnel land-mines continued to be a real threat and an obstacle to safe return and rehabilitation.

21. Lastly, she indicated that some of the key issues in relation to refugees and displaced persons would be considered at the International Conference of the Red Cross and the Red Crescent, which would be held in Geneva in early December and would draw on the results of the Executive Committee's current session and the dialogue with UNHCR.

22. Mr. MEJIA SOLIS (Nicaragua) said that it was usually political problems which forced persons or groups of persons to leave their country because they rightly feared persecution for reasons of race, religion, nationality, membership of a social group or political opinion or because their lives, safety or freedom were threatened by widespread violence, foreign aggression, internal conflicts, massive violations of human rights or other factors seriously disturbing public order.

23. It would be remembered that, on the American continent and in Latin America, in particular, the 1984 Cartagena Declaration had placed the question of refugees, displaced persons and returnees in the broader context of respect for human rights and the building of peace, primarily in the Central American region. Protection had thus been extended to a much larger number of persons, including internally displaced persons, who had until then been left to their own devices and had been subject to violence, repression, internal conflicts and massive human rights violations.
24. On the basis of the Cartagena and San José Declarations, his Government considered that the greatest importance must continue to be attached to the principles of refugee protection and the basic standards of treatment they should be given in all circumstances and that it was important to find durable solutions, involving, in particular, voluntary repatriation and local reintegration. To that end, he appealed to the solidarity of the international community. So that there would be no more forced migrations as a result of violence, as had been the case in Central America in the 1980s, the Governments of the countries of that region had had to fight hard for sustainable development based on the principles embodied in the Alliance for Sustainable Development in Central America, signed in Managua. He also recalled that the International Conference on Central American Refugees had introduced something new by taking account not only of refugees, but also of other groups of uprooted persons. An uprooted person was a returnee who had come back to his place of origin, but had not yet been truly reintegrated. That was a big step forward because it showed it had been understood that return in itself did not mean that the problem had been solved on a lasting basis.
25. On a broader scale, the major crises that had shaken the world in the past few years demonstrated that it was difficult to find the way to peace and prosperity. His delegation nevertheless took note with a great deal of hope of the positive trend that was taking shape in the Middle East, the territories of the former Yugoslavia and other parts of the world.
26. His delegation agreed with the priorities set in the High Commissioner's introductory statement and the documents prepared by UNHCR. In the first place, measures for the protection of refugees, both in individual cases and in mass influx, had to be strengthened. Secondly, durable solutions had to continue to be found, on the basis of an unbiased approach, as soon as a crisis began. Thirdly, account had to be taken of persons displaced internally for the same reasons as persons who had had to flee their country. Fourthly, humanitarian problems and the rights of refugees and other uprooted persons had to be made widely known so that their treatment might be based on highly humanitarian concerns. Lastly, there had been a tendency to consider that the refugee problem could never be solved and that it caused difficulties only in host countries. An impartial analysis of various cases of resettlement showed that, if refugees were given the opportunity, they could make a valuable contribution to the countries which allowed them to stay in their territories.
27. His delegation particularly agreed with the High Commissioner's idea of establishing sounder cooperation and coordination with the specialized agencies of the United Nations system in order to avoid any duplication of

work. It also warned about the risk of forgetting the role that international financial institutions could play in resettlement and social development. As far as voluntary repatriation was concerned, Nicaragua was convinced that a return home was not the only durable solution. In Central America and South America, experience had shown that returnees needed material assistance in order to succeed in becoming economically reintegrated, as well as legal assistance to recover the full exercise of their civil and political rights. However, helping returnees was not enough if the difficult situation of displaced persons near hosting areas for refugees was overlooked. It had therefore been wisely decided that assistance should be given to displaced persons and to persons who had never been uprooted, but who also had pressing humanitarian needs. The Nicaraguan authorities had been working along those lines in cooperation with UNHCR and with the support of the European Commission.

28. As Nicaragua had already stated, prevention based on full respect for national sovereignty was an important principle for individuals and for States because it consolidated peace and reconciliation and improved the well-being and safety of persons. Increased awareness of humanitarian problems was one of the best means of protection and even of prevention. As the High Commissioner had stated, genuine prevention depended on the strengthening of the willingness and capacity of Governments to act individually and collectively to eliminate the root causes of refugee flows. The Government of Nicaragua again paid tribute to the wonderful work that the staff of UNHCR was doing at the price of enormous sacrifices and dangers under the enlightened leadership of the High Commissioner. He hoped that the international community as a whole and the major donors in particular would mobilize so that humanitarian actions could continue to be carried out wherever necessary.

29. Mr. KABALJA (Observer for Rwanda) expressed his Government's deep gratitude to the High Commissioner and the members of the international community for their untiring support for the people of Rwanda both inside the country and abroad. The Government of Rwanda called on all peace-loving peoples in the world to help solve the Rwandan refugee problem, which had assumed unprecedented proportions following the outbreak of genocide and civil war. Millions of persons had been driven out. They included, in the first place, genuine refugees fleeing the war; secondly, political leaders, political activists and Interahamwe militia who had planned and/or implemented genocide; and, thirdly, soldiers of the former regime, most of whom had carried out the genocide, politicians and soldiers who had urged the refugees to flee with them by using force and broadcasting messages on the radio. The entire world had seen them on television as they had plundered and carried off anything that could be moved. They had continued to murder with impunity not only innocent refugees in the camps, but also nationals of the asylum countries. According to some reports, the former political leaders continued to exercise the right to kill and save in the camps and to commit acts of intimidation, as the staff working in the camps could testify.

30. It was true that the situation in the camps had been stabilized to some extent, but it was standard practice that the refugees were organized according to the same administrative structures as in Rwanda and were administered by the former leaders of the country, who used them as shields or

bargaining chips. Those former leaders had to account for the massacres in which millions of Rwandans had died. The international community also had to continue to help Rwanda so that justice would be done.

31. His delegation had therefore been shocked to learn that 12 of the persons responsible for the genocide who had played a role in the attempt which had cost the life of President Habyarimana were safe on the streets of Nairobi. What did the Government of Kenya want? Why was it calling the civil war that had torn Rwanda apart before the genocide an external invasion? Why bring up questions in the Executive Committee that were not within the Committee's mandate?

32. Innocent refugees had to be helped to go home at whatever cost. The Rwandan Government was prepared to take back all the fugitives, even those involved in genocide. They were Rwandan and it was better for them to return to Rwanda to face justice. As the President of the Republic of Rwanda had stated during the High Commissioner's last visit to the country, the return home of all the refugees was without preconditions and the right to repatriation was inalienable. In the past 13 months, about 2 million Rwandan refugees - long-term refugees or persons who had left in 1994 - had returned home.

33. Since the Bujumbura Conference, close to 100,000 refugees had repatriated from Burundi and the process was continuing, with daily arrivals of over 1,000 returnees. Repatriation from Zaire had been slower, with daily average returns of about 500 persons in the past five months, but it should speed up as a result of the recent intensified efforts being made by the Governments of Zaire and Rwanda and by UNHCR. The pace of repatriations from the United Republic of Tanzania was slower still, but a campaign was being waged in cooperation with the Tanzanian authorities and UNHCR to combat misinformation. Most of the refugees in the United Republic of Tanzania should have returned to Rwanda within the next six months and all those in Burundi, within three months. The Government of Zaire had stated that it wanted to repatriate all of the Rwandan refugees in its territory.

34. The High Commissioner and the international community should, without delay, take up the question of the repatriation of Rwandan refugees from Zaire, where the resources of local communities were diminishing. The delegation of Zaire had indicated at the forty-fifth session of the Executive Committee that ongoing political changes in Zaire meant that the refugees had to leave. In addition, armed elements from refugee camps continued to filter into Rwanda along the western border to destroy infrastructure and murder Rwandan citizens. The combination of all those factors only made the problem worse. Action therefore had to be taken now.

35. With the support of the international community, the Government of Rwanda was reconstituting the judiciary and improving conditions of detention in prisons. Administrative structures at all levels had been restored and UNDP was helping to rebuild the public service sector. However, the resettlement and reintegration of returnees was an enormous challenge. Shelter was a matter of particular concern and the Government lacked the necessary resources to change the situation. In January 1995, donors had pledged contributions of about \$1 billion, of which only 30 per cent had been paid. Security had been

re-established in the country. Any incidents which occurred were not widespread and were not government policy. The Government had issued directives to protect the property of those now in exile. All levels of administration and the general public had been mobilized to ensure that land and houses provisionally occupied by homeless persons were given back to their rightful owners on request. The Government would continue to cooperate with the United Nations Mission in Rwanda, the human rights observers, the United Nations military observers and the UNHCR Protection Division in ensuring the security and safety of returnees. Rwanda invited the international community to strengthen security even more by providing the national police with the resources it needed, including transport and communications equipment.

36. Mr. BENJELLOUN-TOUIMI (Morocco) said that, at the time when the fiftieth anniversary of the establishment of the United Nations was being celebrated, the situation was very serious. Over 27 million persons were receiving assistance from UNHCR. The number of refugees on the African continent alone was half the total number of refugees throughout the world. The scope of the exodus from Rwanda was very symbolic of the human tragedy Africa was experiencing. UNHCR deserved praise for the speed and courage with which it had dealt with that situation despite its lack of resources. The "camp safety" operation it had started up a few months previously to protect the Rwandan refugees was beginning to bear fruit. It had also achieved significant results in the Horn of Africa and it was to be commended on the enormous repatriation operation to Mozambique, in which NGOs had taken part. The restoration of peace in Angola and the ongoing process of national reconciliation in that country had raised many hopes and it was clear that UNHCR would not spare any efforts to facilitate the refugees' repatriation and resettlement.

37. Africa was unfortunately not the only continent where crises had led to mass inflows of refugees seeking assistance and protection. It was a matter of regret that the overwhelming majority of refugees in the world came from Muslim countries. From Rwanda to East Africa, from the former Yugoslavia to the Caucasus and from Central Asia to the Caribbean, one could only share the concerns of countries of origin shaken by serious tragedies involving the fate of hundreds of thousands of human beings, as well as those of host countries, whose burden must be eased through increased international solidarity.

38. The international community's attention had once again focused primarily on the situation in the former Yugoslavia. An unacceptable threshold had been reached when the United Nations security zones in Bosnia and Herzegovina had been invaded by the Bosnian Serb aggressor and emptied of most of their inhabitants, who had been driven out or reported missing. In that conflict as well, the humanitarian organizations and UNHCR in particular were to be commended on the courage they had shown in mobilizing to help the vulnerable population, despite the problems encountered in delivering humanitarian assistance. His delegation also paid tribute to the many UNHCR officials who had died trying to help refugees and displaced persons in difficult conditions. At a time when the prospects for peace seemed to be taking shape more clearly, Morocco appreciated the efforts UNHCR had been making to organize the voluntary repatriation of refugees and displaced persons in

safety and dignity when peace had been re-established. As a member of the UNHCR Executive Committee and President of the Organization of the Islamic Conference, Morocco assured UNHCR of its cooperation.

39. In recent years, the world had witnessed shameful practices that endangered the physical and mental integrity of refugees. Practices such as ethnic cleansing had to be condemned without appeal and harshly punished. Morocco welcomed the establishment of international tribunals to try the crimes committed in the former Yugoslavia and Rwanda and urged that the persons responsible for those crimes should be prosecuted, tried and not allowed to benefit from any special arrangements. UNHCR's efforts to protect women and children, the most numerous and vulnerable elements in refugee camps, should be encouraged.

40. Although refugee protection was one of UNHCR's most noble tasks, priority should continue to be given to the durable solution of voluntary repatriation in safety and dignity. Since UNHCR encouraged repatriation operations in all parts of the world, it was difficult to understand why it had not done anything along those lines in the past 20 years on behalf of the population of the Tindouf camps in Algeria. Morocco continued to attach great importance to the speedy implementation of the settlement plan adopted by the Security Council for the holding of a referendum without any delay. That position had been recalled at the fiftieth session of the General Assembly. The dramatic situation in the camps and the efforts being made by the Frente Polisario to delay the implementation of the settlement plan should prompt UNHCR to try immediately, in accordance with the commendable new guidelines it had submitted, to find the necessary durable solutions to allow for the voluntary repatriation of the Saharans. His Majesty Hassan II, the King of Morocco, had on many occasions appealed for return of the refugees, recalling that the homeland was kind and forgiving. Morocco had always been known for its age-old traditions of generosity, kindness and tolerance, which were democratic virtues par excellence. The amnesty that had been granted to many of those who had taken up arms against it was the best proof. The King's appeal to all Saharans gave national and international public opinion and, thus, UNHCR the guarantee that refugee protection would be fully ensured.

41. A few days earlier, several Saharans had escaped from the Tindouf camps and given testimony about the very harsh restrictions and intolerable harassment to which the refugees were subjected. The Frente Polisario's administrative and police apparatus and the military authorities of the host country prevented them from leaving the region. Such a situation was unacceptable. The camp population, which had inexplicably never been counted by UNHCR, had to be able to make its choice freely in the presence of the United Nations, observers and the international press. Morocco therefore made a sincere appeal, without any intention of stirring up disputes, that UNHCR should review the situation in the light of the new guidelines that had been defined, thereby helping to find a satisfactory and durable solution to the problem.

42. Speaking in exercise of the right of reply to deny the unfounded statements by the representative of a neighbouring country who had referred to invasion and decolonization in connection with the so-called "Western Sahara", he said that, although its legitimate rights to the Sahara had been recognized

by the International Court of Justice in 1975, Morocco had agreed that the United Nations should organize a referendum in the Sahara to enable the population concerned to exercise its right to self-determination. Morocco was thus not a colonial country. To say that it was tantamount to presenting in a totally distorted light the question of "Western Sahara", which had originally been called "Spanish Sahara" and in respect of which the competent regional and international authorities had never recognized any other colonial administering Power than Spain, having always drawn the necessary legal and political conclusions therefrom. Was there, moreover, any need to recall Morocco's record in favour of decolonization and the struggle of peoples for self-determination, whether in neighbouring Algeria, in South Africa or in the former Portuguese colonies, whose liberation movements had been formed in Morocco in the early 1960s?

43. The problem of the Sahara was now the problem of the international community, which had opted for a settlement by the United Nations Security Council. Since the settlement plan accepted by the two parties and endorsed by the Security Council contained no provision on the start of a dialogue, it would be better for them to refrain from making recommendations. In other words, they must stop talking about dialogue, direct negotiations and other types of subterfuge that only complicated the task of the United Nations. Morocco, for its part, would continue to cooperate fully with the United Nations and to help it, including with resources, to do its work of completing the peace process that had been opted for.

44. Mr. LEE (Observer for the Republic of Korea) said that his delegation strongly supported the strategy of preparedness, prevention and solutions which was being advocated by UNHCR to confront its increasingly complex and increasingly heavy responsibilities. A paramount goal in that regard must be to prevent refugee-producing situations by reacting rapidly to emergencies and providing protection to avert new refugee flows. One solution was to tackle the root causes of crises directly by strengthening the will and capacity of Governments to pre-empt the reasons that forced people to flee. Even if that aspect of prevention was not UNHCR's direct responsibility, it would undoubtedly facilitate its task. Another aspect of effective prevention was deterrence, a key component of which was the threat of punishment. The Republic of Korea therefore fully supported the establishment of an international criminal court for human rights violators.

45. UNHCR's overarching mandate was protection. In providing for the security of refugees and asylum-seekers, his delegation continued to stress the importance of the principle of non-refoulement. The rapid processing of asylum applications was an important aspect of protection, although it must not be forgotten that voluntary repatriation was usually the most desirable solution. Legal instruments based on the 1951 Convention relating to the Status of Refugees and its 1967 Protocol guaranteed de jure international refugee protection, but what was the de facto situation? The international community had to adopt a pragmatic approach by formulating temporary non-binding guidelines to fill gaps in existing instruments. One of UNHCR's key policy issues was the protection of refugee women and children. The Republic of Korea welcomed the emphasis that had been placed on that particularly vulnerable group and hoped that operational action would be in line with the objectives set.

46. It was also of great importance to find durable solutions to the refugee problem and his country welcomed UNHCR's efforts to ensure a meaningful continuum from relief to development and promote the self-sufficiency of refugees in the most severely affected areas by implementing measures such as quick impact projects. It went without saying, however, that that strategy could not succeed without the strong support of Governments and closer coordination with other United Nations agencies, international financial institutions and the NGOs concerned. The role of NGOs was, moreover, very important and should be increased because they could help to fill any gaps that might exist. For example, Korean NGOs had participated actively in relief activity by providing medical staff and raising the equivalent of \$1.3 million in cash and in kind for Rwandan refugees. In order to strengthen the capabilities of NGOs, Korea would like UNHCR to continue to promote training activities, particularly in developing countries, such as the Republic of Korea.

47. His delegation's last point related to the need to expand UNHCR's leadership to enable it to cope with its growing responsibilities. The proposed creation of the post of a new Assistant High Commissioner for policy, planning and operations would seem to meet that need. The Republic of Korea also welcomed the measures taken by UNHCR to guarantee women more equitable treatment in its recruitment policy. In that connection, it joined the delegation of Japan in requesting UNHCR to pay more attention to the principle of recruitment based on equitable geographical distribution. With regard to the membership of the Executive Committee, it suggested that rotational membership might be considered in the context of overall United Nations reform.

48. Mr. MACDONALD (United Nations Population Fund) said that the plight of refugees and displaced persons was only marginal to UNFPA's mandate, since its main task was to provide support to developing countries on population matters. In general, it had until recently dealt mainly with providing reproductive health services in refugee camps in the form of prenatal, childbirth, postnatal care and attention to infants and children. In the past two years, it had begun to organize the distribution of condoms. However, it had become clear that the reproductive health needs of refugees were as great if not greater than those of the general population. Key issues included safe maternity care, access to family planning services, the treatment and prevention of sexually transmitted diseases, including AIDS, the prevention of and response to sexual violence, gynaecological care, the prevention and treatment of complications arising from unsafe abortion and the prevention of female genital mutilation.

49. In 1994, UNFPA had turned its full attention to the reproductive health needs of persons in emergency situations. In May 1994, it had thus established a policy on emergency relief operations which recognized that refugees and internally displaced persons had the same right to reproductive health as anyone else; in June, the Fund's Executive Board had approved funds to provide emergency assistance in Rwanda; and, in September, the International Conference on Population and Development had adopted a programme of action which included objectives and guidelines for assistance to refugees. In November, UNFPA had set up its Emergency Relief Operations Office in Geneva, whose main task was to define options to provide responses to the

reproductive health needs of persons in emergency situations and to coordinate the resulting activities. That unit would henceforth promote and reinforce reproductive health-care services for refugees.

50. Aware of the need to create a new vision among staff at Headquarters and in the field, UNFPA and UNHCR had organized the Inter-Agency Symposium on Reproductive Health in Refugee Situations, which had been held in Geneva from 28 to 30 June in cooperation with UNICEF and WHO and with the participation of over 50 agencies and NGOs. Key recommendations by the Symposium had consisted of creating an inter-agency committee to ensure that reproductive health services were implemented and strengthened and to produce a comprehensive field manual to facilitate the optimalization of those services. Continuous staff training was also essential in order to ensure high-quality services.

51. On 30 June 1995, UNHCR and UNFPA had signed a memorandum of understanding formalizing the cooperation efforts of the two bodies. The purpose of the agreement was to establish an overall framework for collaboration and coordination between UNFPA and UNHCR for the benefit of persons of concern to UNHCR. UNFPA was obviously not setting up a new parallel structure for assistance to refugees and internally displaced persons; it would channel its assistance through its country offices and subregional technical support teams in close cooperation with agencies and non-governmental organizations active in emergency programmes.

52. Mr. GOAGOSEB (Namibia) said that the restoration of peace and democracy in several countries of southern Africa and in Malawi and Mozambique, in particular, had enabled over 1.6 million refugees to return home. The peace process that was moving ahead in Angola should pave the way for other repatriations. Those positive changes in the region were an illustration of the link between humanitarian action and political initiatives to promote peace and respect for human rights, as well as development in its broader sense.

53. Despite that favourable context, however, large numbers of persons were still trying to leave the region because they considered that they would have better opportunities elsewhere. Those population movements were attributable in part to retrenchments resulting from economic structural adjustment programmes recommended by international institutions and the difference in treatment between asylum-seekers and refugees, particularly in the provision of assistance to which such persons were entitled. The population movements in question had taken on such proportions in southern Africa that they could cause conflicts and xenophobia in some places. Namibia, for example, was used as a corridor or transit country for such migrating groups. The international community, assisted by the relevant humanitarian agencies, should take a serious look at that problem, with the political will to establish a lasting peace throughout the world, since the humanitarian assistance that could be given to the civilian population could never be more than a palliative.

54. Namibia, which had acceded to all international instruments on refugee protection, was committed to assisting persons seeking refugee status within its borders. However, its open-door policy invited asylum-seekers from countries as far away as Liberia and the question of countries of first asylum

had to be seriously reconsidered. Namibia would continue to provide its unwavering support to UNHCR, whose work it greatly appreciated, and would take an active part in the various inter-sessional meetings to try to deal with the challenges of the refugee problem.

55. Mrs. CASSARINO (Observer for Uruguay), referring to the Note on International Protection (A/AC.96/850), said that her delegation fully supported UNHCR's efforts further to strengthen international refugee protection and provide sounder legal foundations for persons who needed such protection. The events of the past year, which had been characterized by ethnic conflicts and human rights violations, had brought out even more sharply the basic importance of the concept of asylum and such fundamental principles as that of non-refoulement. Her delegation had been pleased to find that the Note specified that the new strategies had to be designed primarily to strengthen the implementation of the Convention and the Protocol. In order to identify new approaches to protection, emphasis also had to be placed on the need for States parties to fulfil the legal obligations deriving from those instruments as minimum standards which could not be lowered and must serve as a point of departure for expanding international protection and interpreting it generously. In that connection, Uruguay shared the concerns that had been expressed about some restrictive interpretations of the Convention and the Protocol, which might lower the level of protection to which refugees were entitled, and appealed to all countries to ensure that the regional instruments which would be drafted and the new principles that would be established on temporary protection would not weaken the minimum standards of protection guaranteed by the legal instruments in force.

56. Uruguay nevertheless recognized that the dangers that threatened the institution of asylum could not be eliminated unless account was taken of the needs of host countries and measures were adopted to prevent new crises from breaking out. In the part of the Note relating to international solidarity (paras. 14 et seq.), reference had rightly been made to social, economic, political and environmental conditions which could give rise to flows of refugees and influence the attitude adopted by host countries, as well as the factors for the voluntary repatriation and resettlement of refugees in satisfactory conditions of safety and dignity. As a Latin American country, Uruguay was particularly aware of that economic dimension of the refugee problem, which required structural solutions to promote development and combat poverty, as well as to strengthen the material capacities and political will of countries to which refugees fled in large numbers. Uruguay had welcomed with interest the definition of a new type of protection aimed at finding specific solutions and fully shared the idea that there could be no effective and definitive solution to the refugee problem unless it was based on the idea of protection and individuals were guaranteed their fundamental rights.

57. Mr. AYALA LASSO (United Nations High Commissioner for Human Rights) said that, since human rights violations were one of the major causes of population displacements both internally and externally, preventive strategies must include appropriate measures to protect, strengthen and promote all human rights. Although it was important, as a durable solution, to eliminate the root causes of population displacements, the groundwork also had to be done to prepare for the return of displaced persons. Hence the need first to guarantee respect for fundamental human rights.

58. The proliferation of conflicts throughout the world was putting the traditional mechanisms and procedures for refugee assistance under severe strain. Approaches to new patterns of displacement had had to be adopted. One method was to grant temporary protection to groups according to an area approach in order to relieve the pressure on mechanisms considering individual applications for asylum. At the same time, pressure from public opinion in some countries had made it necessary for the authorities to distinguish between those fleeing poverty, often called economic migrants, and those who were genuinely in need of protection. It should be noted that the largest burden resulting from mass displacement was carried by poor countries, to which he was particularly grateful.

59. To adapt to new realities, UNHCR had had to include in its mandate assistance to groups of persons not normally covered by the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, including those displaced by armed conflicts and, in some cases, internally displaced persons. UNHCR's approach was based on two important considerations. The first was that the displaced often faced a multitude of obstacles that prevented them from returning, so that a repatriation process could be successful only if all problems were dealt with simultaneously. The second was that the problems faced by populations living in separate countries, but within one region, could be so interlinked that they could not be solved by isolated country mechanisms. It was obvious that dealing comprehensively with problems of such a magnitude far exceeded the capacities of any one organization. The cooperation of all the parties concerned was necessary. Experience showed, moreover, how helpful cooperation in the United Nations human rights programme between States, intergovernmental organizations and NGOs could be. The frameworks of cooperation with the Council of Europe, the European Union, the Organization of African Unity, the Organization of American States, the Organization of Baltic States and the Organization for Security and Cooperation in Europe (OSCE) had proved to be extremely effective.

60. The human rights field operations, including human rights monitoring and technical assistance activities, in the territory of the former Yugoslavia were examples of the increasing importance being attached by the Commission on Human Rights and the Office of the High Commissioner for Human Rights to comprehensive regional human rights strategies. Now that the peace process was beginning in Bosnia and Herzegovina, many tasks awaited the international community: preventing human rights violations; investigating those that had already been committed; monitoring the general human rights situation, particularly to encourage the return of refugees and displaced persons; reporting human rights violations to local and national authorities, as well as to the relevant organizations; providing human rights training to the staff of the military and civilian components of peace-keeping forces; offering the necessary technical cooperation programmes for the establishment or strengthening of the judiciary and of national human rights institutions; and providing support for human rights education programmes and human rights community development activities.

61. As High Commissioner for Human Rights, he intended to do everything he could to facilitate the implementation of human rights related activities by the relevant United Nations agencies and programmes, as well as by regional organizations such as OSCE and the Council of Europe. To that end, he would

shortly begin consultations with the United Nations High Commissioner for Refugees and other interested partners, such as Governments, United Nations agencies, European organizations and NGOs, with the aim of arriving at a comprehensive human rights action plan for the former Yugoslavia so that a clear division of labour could be agreed upon on the basis of shared objectives and the priority needs of the populations affected by the war. Measures had already been taken to increase the presence of human rights observers in Zagreb, Mostar, Sarajevo and Skopje. He had also started a dialogue with the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to establish a continuous human rights presence throughout the entire territory of the Republic.

62. The importance attached to global humanitarian strategies was also reflected in his participation in activities such as the Conference of Great Lake States which had been held in Bujumbura. His approach was that activities which improved the situation in one country would automatically have positive consequences for the neighbouring countries and it was therefore important to coordinate the different existing programmes in the subregion, including the activities of the three country rapporteurs for Burundi, Rwanda and Zaire appointed by the Commission on Human Rights. It was in that context that his decision to deploy the human rights field operation in Rwanda and to increase the capacities of the office in Burundi must be seen. An office was also being set up in Zaire to ensure a continued presence in that part of the region.

63. Other examples of regional approaches included participation in and support for the forthcoming conference on refugees, returnees, displaced persons and related migratory movements in the Commonwealth of Independent States and relevant neighbouring States. Regional approaches were also under consideration for other regions.

64. One of the lessons learned from UNHCR's experience and his own initiatives was that it was vital to re-establish the confidence of the affected populations and give them full protection. In the context of the Human Rights Field Operation in Rwanda, several measures had been taken to meet security needs, including the deployment of human rights officers to monitor conditions in districts and the provision of advisory services and technical assistance to help the authorities review domestic law and practice and improve the capacities of the judiciary, including the strengthening of courts, the training of police and improved conditions for detainees. It was difficult to promote justice when the lack of capacity meant that thousands of persons would have to await trial for an indefinite period of time. It was, of course, necessary to break the tradition of impunity, but the suffering endured by detainees and their families created additional challenges for reconciliation and rehabilitation.

65. Cooperation between UNHCR protection officers and human rights officers in the field had been constructive. A memorandum of understanding between the United Nations High Commissioner for Refugees and the United Nations High Commissioner for Human Rights provided a framework for cooperation between the two parties in the context of the operation in Rwanda. Their joint efforts were designed to ensure the convergence of the principles of human rights law, humanitarian law and refugee law in order to guarantee similar treatment for

persons in similar circumstances. Those joint efforts had also related to activities to identify early-warning indicators of refugee flows and mass displacements of population.

66. The success of activities to prevent and alleviate the suffering of displaced persons and find a durable solution to their problems depended on a number of factors. Beyond the question of adequate resources, an important factor was the capacity carefully to analyse previous actions in order to learn the necessary lessons. That was the only way to advance methodically towards the objectives set. In view of the interaction between refugee problems and human rights violations, a rapid response in an emergency situation would depend on close coordination between mechanisms of the United Nations system. He was fully aware of that fact and would therefore spare no effort to ensure that his Office and the Centre for Human Rights cooperated closely with UNHCR.

67. Mr. MALLOW (Observer for Djibouti) said that the refugee problem had never been as serious as in recent years. Massacres had been committed in camps and thousands of persons seeking asylum had died in exile. Many African and European countries were closing their borders to refugees fleeing danger. In view of the mass inflow of refugees, some States had considered that their very existence was threatened. If humanitarian obligations were to continue to be honoured, the international community had to give all the necessary support to host countries which had taken in and continued to receive hundreds of thousands of refugees despite the political, economic and social problems they faced.

68. Since it had acceded to independence, the Republic of Djibouti had not stopped taking in successive waves of refugees caused by the conflicts that had been tearing the region of the Horn of Africa apart for the past 20 years. The repatriation operations to Ethiopia had hardly eased the burden the country had to bear and it still had to cope with the massive presence of uprooted populations. There were about 25,000 Somali refugees and several thousand Ethiopian refugees now in Djibouti's refugee camps. In addition to the refugees for whom the international community had assumed responsibility, tens of thousands of persons had settled spontaneously in more or less precarious conditions in the town of Djibouti, thereby seriously damaging the environment. The country's sparse social infrastructure was being sorely tried and could no longer meet the population's basic needs.

69. Thanks to UNHCR, the repatriation of 15,000 urban Ethiopian refugees was under way, but it should not be expected that that operation would solve the problem once and for all because persons who had been repatriated often left again some time later. The implementation of development programmes in the regions from which such persons came was still the only durable solution. There were some glimmers of hope for the Ethiopian refugees, but the problem was still unsolved as far as the Somalis were concerned because they had practically no prospects of repatriation in view of the worsening of the situation in north-west Somalia.

70. For families in Djibouti, who were already feeling the effects of the economic crisis in the country, that situation was increasingly difficult to bear. His delegation therefore urged the international community to

intensify its efforts to help the country fulfil its humanitarian obligations. For three long years, Djibouti had been going through a civil war. However, thanks to wisdom on both sides, a peace agreement had been signed on 26 December 1994 between the Government and the Front for the Restoration of Unity and Democracy (FRUD). Efforts to rebuild the country and eliminate the effects of the war were continuing. UNHCR and the international community could help by assisting the Government of Djibouti to repatriate its nationals who had gone into exile in neighbouring countries and to draw up an assistance programme for persons who had spontaneously returned to their place of origin and those who were still internally displaced.

71. Developments in the situation in Somalia since the withdrawal of the United Nations continued to worry the Djibouti authorities. The humanitarian tragedy that had led the United Nations to intervene could take place again if the international community turned away from that wounded country. The consequences of such a situation would be disastrous for the Somali people and all countries in the Horn of Africa, which were already paying a high price, and for the international community, which had invested hundreds of millions of dollars to get the country back on its feet.

72. The Republic of Djibouti was aware that humanitarian crises were becoming increasingly numerous and that the resources made available to UNHCR were all out of proportion to the work entrusted to it. While fully supporting measures to improve programme management, the Djibouti delegation drew attention to the imbalance in the distribution of resources between regions. Although Africa was the continent most affected by humanitarian crises, the resources made available to help African refugees were diminishing. It must be ensured that those refugees, who felt more and more abandoned, benefited from equitable assistance and protection.

73. His delegation drew attention to the precariousness of repatriation operations, including those from Djibouti to Ethiopia. In its view, the factors which gave rise to population displacements were still primarily economic and UNHCR and the international community therefore had to give priority to development activities in countries of origin to enable returnees to start new lives. It had great hope in the ongoing process of conflict resolution at the regional level and the initiatives recently taken in support of the development programmes of the member countries of IGADD, since it was convinced that action had to be taken upstream to prevent crisis situations.

74. MR. MEGHLACUI (Algeria), speaking in exercise of his right of reply, said that he was sorry to speak at such a late hour. He had no intention of entering into a debate or bringing up matters which the delegations present knew only too well, but in view of the allegations made by the representative of Morocco, he had an obligation to recall what he had said the day before about the question of Saharan refugees. His delegation had reaffirmed Algeria's determination to continue to provide assistance to the Saharan, Malian, Nigerian and other refugees who had found asylum in its territory. It had also appealed to UNHCR to provide Saharan refugees with more substantial assistance because they depended entirely on foreign aid and lived in a region that was nothing but desert. In its analysis of the causes of the problem, it had merely drawn attention to the facts, noting that the territory of Western Sahara had been invaded in 1975 by two neighbouring States. The first

major refugee flow had begun at that time. One of those two States had withdrawn in 1979 on the basis of an agreement concluded with the Frente Polisario after direct negotiations. However, the other invading State had not yet withdrawn. The Frente Polisario had been recognized by the international community as a party to the conflict in Western Sahara.

75. The position of the international community was clear: Morocco had no sovereignty over Western Sahara. Otherwise, how could the United Nations decision to organize a referendum be explained? When there was a refugee problem, efforts had to be made to determine the root causes and to find solutions. That was the context of the settlement plan adopted by the United Nations. The parties concerned, including Algeria, had all endorsed it, but its implementation had been delayed and that had prompted UNHCR to update the repatriation plan it had prepared in 1991. It was high time to settle the conflict so that the Saharan refugees might finally return home. To that end, the two parties to the conflict, Morocco and the Frente Polisario, had to begin direct negotiations. Those were the facts and anything else was mere propaganda.

76. Mr. BENJELLOUN-TOUIMI (Morocco), speaking in exercise of the right of reply, said that what Algeria thought was irrelevant. A settlement plan had been drawn up and the process had to be allowed to follow its course. The question was, moreover, currently being discussed in the Fourth Committee of the United Nations General Assembly. None the less, his delegation had raised a number of humanitarian concerns that were legitimate and it expected UNHCR to respond to them, if only in private.

The meeting rose at 6.10 p.m.

Distr.
GENERAL

A/AC.96/SR.505
24 October 1995

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-sixth session

SUMMARY RECORD OF THE 505th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 19 October 1995, at 10 a.m.

Chairman: Mr. LARSEN (Denmark)

CONTENTS

GENERAL DEBATE (continued)

PROGRAMME, ADMINISTRATIVE AND FINANCIAL MATTERS

- (a) REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1994-1995 AND OF PROPOSED PROGRAMMES AND BUDGET FOR 1996
- (b) STATUS OF CONTRIBUTIONS AND OVERALL FINANCIAL REQUIREMENTS FOR 1994 AND 1995
- (c) ADMINISTRATION AND MANAGEMENT
- (d) ADOPTION OF 1996 GENERAL PROGRAMMES

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Executive Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.20 a.m.

GENERAL DEBATE (agenda item 4) (continued) (A/AC.96/845, 846/Part II, 847, 850, 851, 852 and 855)

1. Mr. MANGUE (Observer for Equatorial Guinea) said that Equatorial Guinea appreciated and supported UNHCR's work because it was assisting millions of people who had lost everything as refugees. His own experience as an UNHCR official in Moscow and in Rwanda, where he had been physically attacked, had taught him that international protection officials should not fear death, but their inability to provide the requisite protection for people who needed it. Protection was the ultimate expression of UNHCR's work. He attached great importance to his time with UNHCR which had come to an end because of the financial crisis the United Nations faced.
2. He paid tribute to the High Commissioner and her staff. In her statement, the High Commissioner had outlined new priorities: comprehensive planning and bringing international protection strategies into line with new realities. He totally supported those priorities and the formulation of a plan to prevent internal displacement. Such measures, together with the strengthening of prevention activities, the political will of States and international efforts to solve the root causes of refugee problems, would make it possible to find medium-term and long-term durable solutions.
3. With regard to the Note on International Protection (A/AC.96/850), his country urged respect for and the full implementation of the 1951 Convention relating to the Status of Refugees, the 1967 Protocol and international and regional human rights instruments. It was to be hoped that UNHCR and other refugee and human rights organizations would set up appropriate machinery to strengthen the capacity of each country to prevent crises which might create more refugees.
4. His Government did not want its nationals to be refugees in other countries and, since 3 August 1979, it had been encouraging activities aimed at rehabilitation, national reconstruction, national reconciliation and respect for the principles of international law.
5. His Government was aware of the current financial crisis in the United Nations and it was plain that the resources available for humanitarian action fell short of needs. His country wanted to participate actively in the work of the Executive Committee, supported priority-setting and proposed the establishment of a working group to study ways and means by which countries such as his own could contribute to UNHCR's work. His delegation was prepared to discuss the details of that proposal.
6. Referring to the human rights situation in Equatorial Guinea, he said that the democratic process initiated in 1979 had reached an important phase. The Government was considering the setting-up of national institutions to promote and protect human rights. Fourteen opposition parties had been legalized. A pluralist parliament had been elected in 1993. Municipal elections had been held in September 1995 and presidential elections would be

held in 1996. That process was fostering his country's development as a model of democracy in the subregion and guaranteeing the participation of all citizens in political life.

7. The international community had to cooperate with his country's legitimate Government and not be influenced by neocolonial interests. If Spain continued its policy of humiliation and discrimination, Equatorial Guinea would again face a refugee problem. Independence had not been a gift, but had been achieved through the sacrifices of previous generations.

8. No democratic model ought to be imposed. Each country had to work towards democracy on its own and not as a result of pressure, which would cause war and other problems all too familiar to African countries. It was easy for outsiders to call a regime dictatorial if they were unaware of a country's problems. Cutting aid was an easy way to subjugate a country. He called on the Government in Madrid to put an end to its action, which was a violation of international law. In that connection, he recalled that the Equatorial Guineans who were now in Spain and other countries were economic refugees not political refugees.

9. Count DECAZES (Observer for the Sovereign Order of Malta) said that the Sovereign Order of Malta had made a modest contribution to the international community's efforts to contend with the problems raised by the 27 million refugees who needed help. It was determined to do everything it could to take part in efforts to solve refugee problems. It had helped to set up and run refugee camps in Rwanda and Zaire which had now been placed under the responsibility of UNHCR or Caritas Internationalis. The Sovereign Order of Malta was also cooperating with UNHCR, intergovernmental and non-governmental organizations to provide assistance in the territories of the former Yugoslavia. In accordance with its tradition and faith, the Order was therefore fulfilling its obligation to devote itself to the service of suffering mankind.

10. Mr. JOUBLANC (Observer for Mexico) paid tribute to the High Commissioner and her staff and said that full respect for international humanitarian law was a constant concern of his Government. In that context, more effective protection of the civilian population was the result not only of emergency humanitarian assistance, but also of reconstruction and reconciliation after hostilities had ceased. Only an effective human rights system and the establishment of the rule of law could consolidate peace and promote the reintegration of persons who had had to flee from conflict and violence.

11. The Note on International Protection (A/AC.96/850) expanded on the thinking set out in the Note which UNHCR had submitted in September 1994. The chief merit of the Note was that it emphasized the need for durable solutions in the refugees' countries of origin which would allow for their voluntary repatriation.

12. The refugee crisis in the world today was testing the response capacity of the various bodies which provided humanitarian assistance as well as the international legal system from which the system of international protection derived. Perhaps the best way to overcome the shortcomings of the legal

instruments in force was to hold an in-depth discussion of guidelines to provide support for the States most affected by massive flows of refugees and to guarantee adequate legal protection for refugees. Any initiative along those lines had to take regional differences and regional machinery into account. Eleven years after its adoption, the Cartagena Declaration had become a source of law, thus reflecting the solidarity of the Latin American countries. Mexico had embodied the definition of "refugee" contained in the Cartagena Declaration in its domestic legislation. His delegation was fully prepared to take part in a working group on the formulation of principles to serve as guidelines for international protection.

13. His delegation had also taken note with interest of document A/AC.96/846/Part IV/3 on UNHCR activities in Mexico in 1994-1995. His Government was particularly pleased with the process of the voluntary repatriation of Central American refugees in south-east Mexico which had begun in January 1994 and which had not been affected by the situation in the region.

14. As further proof of its commitment to UNHCR's work, Mexico had made a voluntary contribution to the Special Programme in favour of refugees from Guatemala.

15. His Government's concern about the world's refugee situation was not limited only to guarantees of legal protection in host countries. A comprehensive approach also meant that attention had to be given to reconstruction and development problems.

16. At the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held in Vienna from 25 September to 13 October 1995, Mexico had proposed a total ban on the production, storage, transfer and use of mines, which were weapons that did not discriminate between combatants and civilians. They caused thousands of victims every year even after hostilities had ended. Since some delegations had been able to agree on only a few restrictions on the use of mines, his country had worked actively during the negotiations to achieve even that limited objective as a means of saving lives. Unfortunately, no agreement had been reached on technical parameters allowing for certain restrictions and the Conference had been adjourned until 1996.

17. His delegation hoped that the intervening period would serve to settle technical questions and increase political will to prohibit and clear mines which wounded the civilian population and prevented refugees from returning home.

18. Mr. SALMAN (Observer for Iraq) said that his delegation had listened with great interest to Mrs. Ogata's statement describing in detail the activities of UNHCR and discussing the challenges facing it due to increasing domestic and international conflicts and the resulting flows of refugees and internally displaced persons, which called for international efforts involving UNHCR to safeguard the rights of refugees and ensure their protection. Securing their

repatriation meant taking a radical humanitarian approach far removed from the political goals of some countries that sought to exploit the refugee situation and hampered UNHCR efforts to reach satisfactory and durable solutions.

19. His country had been living for more than five years under a total economic embargo, which had been imposed following the complete destruction of its economic infrastructure by aggression in the Gulf war and which continued to have repercussions on the lives of the Iraqi people, affecting their stability and human rights, as well as the development process. Scarcity of food and medical supplies, inflation and reduced purchasing power had prompted thousands of Iraqis to leave the country in search of better prospects. The lifting of the embargo was the only way to halt the exodus, to end the sufferings of the Iraqi people and to encourage Iraqi refugees to return to their country.

20. Contrary to refugee law, States hosting Iraqi refugees were taking advantage of their plight and using them in various ways against their own country and for purposes of subversion. They were being exploited in Saudi Arabia in a manner inconsistent with the requirements of international law with the instigation of sectarian and racial intolerance and internecine strife among them that, according to various media reports, had resulted in many being shot by the Saudi Arabian forces responsible for protecting the camps. Such acts should be condemned and a mechanism was needed to strengthen UNHCR action to ensure international protection, as well as to prevent the politicization of the refugee question. Attention should also be drawn to the hostile information campaigns in some neighbouring countries hosting Iraqi refugees that were designed to intimidate the refugees and dissuade them from returning voluntarily to their country, even though Iraq had granted a general amnesty to all Iraqi refugees accused of political crimes. Several thousand Iraqi refugees had, however, returned from Saudi Arabia and Iran.

21. In that regard, his delegation wished to question Iran's claim to be hosting 598,750 Iraqi refugees. That was an exaggeration: UNHCR sources put the figure at close to 100,000 and the other persons were Iranians who had been forced to return to their country at the start of the Iraq-Iran war. For humanitarian reasons, Iraq and Iran had signed a memorandum of understanding on refugees in mid-September whereby the parties would consider all requests for repatriation from refugees in Iran claiming to be Iraqi nationals and from refugees in Iraq claiming to be Iranian nationals. If nationality were established, the two parties would take legal measures to receive their nationals.

22. Despite economic hardship, Iraq was continuing to host more than 120,000 refugees, including 38,560 Iranians, 62,500 Palestinians and 17,500 Turkish Kurds. In addition, his Government had made agricultural land available to some 12,000 Iranians from Ahvaz province and was allowing them to work. Because of the economic difficulties, however, the situation of refugees in Iraq was a matter for concern. UNHCR assistance was by no means sufficient to meet the needs of such large numbers and the ideal solution would be to arrange for their voluntary repatriation, especially in the case of the Iranians and Turks. UNHCR's efforts had thus far encountered little success

and Iraq requested it to urge the Iranian authorities to agree to the return of the Iranian refugees, most of whom had fled Iran because of the Iraq-Iran war and did not qualify as political refugees.

23. Repeated large-scale military operations by the Turkish armed forces in northern Iraq, allegedly to track down PKK militants in refugee camps, was driving out many Iraqi citizens, causing destruction of property and endangering lives. The Government of Turkey was called on to cease those acts of aggression and to respect Iraq's sovereignty and territorial integrity, as well as to pay compensation for the damage inflicted. In addition, his delegation wished to put on record its objection to the long-term presence of thousands of Turkish refugees in Iraq, despite the country's economic difficulties and in view of the security threat posed by Turkey's incursions. An expeditious solution would be for their voluntary repatriation to be ensured with appropriate guarantees from the Turkish Government.

24. Under its humanitarian mandate and with its comprehensive knowledge of the country's circumstances, UNHCR was invited to do its utmost to draw international attention to the ordeal of the Iraqi people and call for the lifting of the embargo on Iraq to ensure a life of dignity for its population, the repatriation of refugees and an end to the human suffering.

25. Mrs. SIMBIZI (Observer for Burundi) commended UNHCR's valuable work, which had notably benefited more than half a million Burundians. Following the dramatic events of October 1993, with the assassination of President Ndadaye and the resulting political and ethnic massacres, many Burundians had taken the path of exile, gathered in refugee camps within the country or sought shelter in safer provinces or communes. In turn, with the dramatic events in Rwanda, especially since April 1994, Burundi had hosted thousands of Rwandan refugees, adding to those of previous years. Burundi thus found itself in the unusual position of being both a country of origin and a host for refugees, as well as one of the African countries that sheltered many displaced persons, and was experiencing all the problems that entailed in political, social, economic and health terms. Her Government was grateful for the help it had received from the international community, and particularly UNHCR, to address that situation.

26. In line with its policy of promoting the voluntary repatriation in full dignity of exiled Burundians and the reintegration of displaced persons within Burundi, her Government had recently adopted a plan of action for humanitarian assistance involving a series of mechanisms to implement the repatriation policy, with priority in national efforts being given in the first phase of the campaign to the return to peace.

27. Burundi was fully prepared to establish the necessary contacts for the repatriation of refugees and, in collaboration with UNHCR, had adopted an operational plan for repatriation specifying the responsibilities of each side. There had also been positive results from the tripartite commissions already in place, whose work would be resumed after having been interrupted since 1993. The tripartite commission comprising Burundi, UNHCR and Zaire was much awaited. Burundi was of the view that the regional meeting of Heads of State should be brought forward to permit in-depth discussion of the refugee question. It supported the resolutions of the Bujumbura Conference and urged

their speedy implementation. It also looked forward to the holding of a regional conference on peace, stability and development in the Great Lakes region, being convinced of the need for a comprehensive approach to the core problems of population displacements, and hoped that the conference would lead to the establishment of a follow-up mechanism, as well as specific commitments by the countries concerned and by the international community.

28. Burundi was also aware that the preconditions for the return of refugees and the process of reconstruction were a return to peace and internal security. Efforts had therefore been undertaken by the Government to resolve the crisis in Burundi in a durable manner. The administration, the forces of law and order and the population were increasingly working together to combat all extremists and to neutralize the armed groups and militias that were sowing terror and desolation across the country. Burundi was also preparing for a country-wide discussion involving all segments of the nation to propose concrete solutions for bringing an end to the chain of violence. It counted on the assistance and support of the United Nations and the international community in general to create an environment conducive to the success of that great endeavour.

29. Burundi trusted in the hospitality characteristic of the African countries and the understanding of the international community. Its great concern was for the Burundian refugees to return and thus put a stop to allegations that Burundi was engaging in a form of ethnic cleansing. It called on all those willing to lend their support to look at the Burundian crisis objectively and thus avoid gratuitous declarations tainted with subjectivity that could not aid Burundi's recovery efforts. In conclusion, she wished to assure countries affected in any way by the crisis of her Government's complete openness and to reaffirm its readiness to cooperate with the High Commissioner, her staff and the international community.

30. Mr. SESINYI (Observer for Botswana) said that his country had no doubt that UNHCR had a capable leadership to achieve the goals it had been mandated to pursue. It shared the view that the role of the international community was not only to provide refugee protection, but also to participate actively in seeking positive solutions to conflicts that would facilitate the safe and dignified return of displaced persons to their countries of origin. The status of refugee or displaced person must be a temporary state.

31. With the advent of democracy and the peaceful resolution of conflict in the subregion of southern Africa, the refugee population in Botswana had been significantly reduced. Thousands of formerly displaced persons had returned home, and that was to be welcomed not only because it relieved the burden of resource utilization, but because it was symptomatic of positive developments in the region. There were still a number of refugees in Botswana, but with further promising developments in the region and the disappearance of pockets of conflict, most exiled persons would be able to be reunited with their compatriots in the not too distant future, while those remaining would continue to enjoy hospitality and a share of Botswana's limited resources until the situation in their countries improved.

32. Botswana was, however, witnessing an increase in the number of people coming from outside the region in search of political asylum. It shared the

conviction that the principle of first country of asylum was a prerequisite for burden sharing. Although that did not preclude looking at cases on the basis of merit, as Botswana was doing, the principle was a vital yardstick for granting protection and asylum in an organized, systematic and equitable fashion.

33. The international community must remain alert to any measures of refugee acceptance that would stigmatize the concept of asylum within the context of the domestic politics of the host country. That was why the concept of burden sharing was all the more appealing. Ways and means of improving the plight of displaced persons should be in harmony with the interests of the nationals of the host countries. Botswana's own experience had been one of successful integration of the refugee population into the rest of the community, with some refugees even taking Botswanan citizenship and becoming productive members of society. That had been achieved by the synchronization of international obligations with domestic responsibilities. In time, the local population had come to see the refugee situation less as a burden and more as a contribution to a more humane world situation. The people of Botswana now felt that they were shareholders in the peace that had succeeded turmoil in most parts of the region.

34. Botswana would continue to shoulder its share of international responsibility and humanitarian obligations within the context of the UNHCR mandate. It felt that, where conflict had abated and circumstances permitted repatriation, UNHCR should actively pursue its efforts to assist in the return of displaced persons, thus enabling countries to harmonize relations and cooperate more confidently and fruitfully. Prolonged stay of citizens of one country in the territory of another where conflict situations had been eradicated tended to create diplomatic discord between countries. Both displaced persons and the local population must reap the immediate benefits of peaceful conflict resolution, with one sector returning home and the other gaining the satisfaction of having been successful hosts.

35. Mrs. KALNIETE (Observer for Latvia) said that, following independence in 1991, Latvia had established a Department of Citizenship and Immigration to develop immigration policy and services and to institute proper immigration procedures. However, the Department had not initially been able to prevent the growing illegal immigrant flows through Latvia, the first groups of illegal immigrants having been arrested only at the end of 1994. The Government had therefore set up a working group to undertake a comprehensive analysis and suggest ways of remedying the situation. Its proposals had led to the creation of an immigration police and additional resources had been allocated to strengthen the State borders and to provide further training for border guards.

36. Proposed legislation on asylum-seekers would include the internationally recognized criteria for distinguishing between persons fleeing political persecution and those leaving their countries for economic or other reasons. The draft law stated that no person could be deported to a country where there existed a threat to that person's life due to his or her political views, ethnic origin or religious belief.

37. A temporary reception centre had been established in April 1995 to accommodate convicted illegal immigrants. There were currently 128 persons, including women and children, in the centre who had no identity documents. They were thought to include Afghans, Iraqis, Kurds, Iranians, Palestinians and Bengalis.

38. Since the disintegration of the Soviet Union, Latvia had become a permanent target for illegal transit migration mainly via the Commonwealth of Independent States, which had instituted a common visa-free regime. Since, in addition, some CIS countries had special agreements with third countries on visa-free status, it was difficult to maintain effective control over movements across the common CIS border. To check illegal immigration, Latvia had prepared draft readmission agreements and had submitted them for consideration to the Russian Federation, Ukraine and Belarus. A similar mutual agreement between the three Baltic States had been signed in July 1995. Latvia was convinced that the most effective way of regaining control over illegal immigration was bilateral cooperation among the affected countries based on such readmission agreements.

39. Although Latvia fully agreed with the norms of the 1951 Convention and the 1967 Protocol, it was currently unable to implement all the obligations and responsibilities deriving from them, but would ratify these instruments as soon as the essential national and practical framework had been established. Her Government was, however, fully meeting its obligations and responsibilities under the seven major international human rights instruments to which Latvia was a party and recognized the principle of non-refoulement as well as the binding authority of the UNHCR mandate, under which persons seeking asylum were to be protected whether or not a State was a party to the Convention and the Protocol.

40. Her Government had proven on many occasions that it was ready to consider any constructive criticism and at the same time hoped that the international community and international organizations would extend effective assistance to resolve the practical difficulties it was facing. The immigration police lacked professional training and had outdated equipment and no computerized database. Reorganizing the reception centre, at an estimated cost of more than US\$ 420,000, would overburden a State budget already suffering from the impact of countless other emergencies. Monthly expenditure for each person in the centre amounted to US\$ 150, while the average retirement pension in Latvia was approximately US\$ 65.

41. Furthermore, while recent data indicating a decrease in the number of illegal migrants passing through Latvia to the Nordic countries showed that the measures taken by the Latvian authorities were proving effective, many western countries were considering tighter immigration legislation and her Government was concerned that Latvia would become a stockyard of captured illegal immigrants for whom it was only a transit country on the road to western Europe. Latvia expected the international organizations and neighbouring countries to be more active in providing the practical assistance it needed.

42. Latvia welcomed the regional approach in elaborating strategy to avert further population displacements in the CIS countries and to halt transit

migration via the CIS to the Baltic States. Latvia was not a country of origin, but as one of the recipient countries it was actively following the preparatory process for the Conference on migration in the CIS region. In that regard, she cautioned against the notable tendency to go behind the mandate of the Conference and address problems with broader political content. International law had internationally recognized language for the persons or groups concerned and that language should be observed without inventing a new glossary. The politicization of the Conference agenda could become an obstacle to the successful implementation of General Assembly resolution 49/173.

43. Mr. HOSSEINI (Islamic Republic of Iran), speaking in exercise of the right of reply, said that he wished to make two brief points in reference to the statement by the Observer for Iraq. First, Iraqi refugees in the Islamic Republic of Iran were regularly visited by UNHCR representatives and there was no doubt about their refugee status. Secondly, refugees in Iraq claiming Iranian citizenship could return to Iran after screening to establish their citizenship.

44. The CHAIRMAN, summing up the general debate, noted that repeated mention had been made of a number of critical situations, particularly those in the former Yugoslavia and the Great Lakes region of Africa. Given the particular dimensions of the refugee problem in Africa, as well as recent prospects for solutions in parts of that continent, the Executive Committee had been privileged to hear a keynote statement by Mr. Salim, Secretary-General of the Organization of African Unity. The complexity of current situations, whether in emergencies or solutions, had also been repeatedly stressed, as had the need for comprehensive, innovative and coordinated approaches combining the necessary action at the political, economic and humanitarian levels.

45. One of the principle themes to emerge from the debate had been the importance of protection, together with a consensus on the need to respect the fundamental principles of international protection and the institution of asylum. A number of delegations had expressed concern at restrictive interpretations of the 1951 Convention and had pointed to the erosion of asylum.

46. The debate had reflected a willingness on the part of member States to work with UNHCR in ensuring the predictability of protection. In that connection, many delegations had stated that they were prepared to take part in discussions on the formulation of non-binding guiding principles for the provision of international protection to persons fleeing situations of conflict who were unable to return safely to their countries of origin. The need for flexibility in that respect had been stressed.

47. While emphasizing the rights of refugees, a number of speakers had also drawn attention to their obligations, which had to be respected if the tradition of asylum was to be preserved. Some speakers had highlighted the security concerns of countries of asylum and origin and stressed, inter alia, the need to ensure the security and civilian nature of refugee camps. A number of delegations had also underlined the importance of resettlement as a durable solution and a tool of international protection.

48. Refugee women had also been among the major themes of the general debate and the constructive role played by UNHCR in preparing the fourth World Conference on Women had been welcomed, although a number of delegations had expressed the desire to see UNHCR's policies more effectively translated into practice.

49. The debate had also highlighted protection considerations in relation to solutions, with repeated emphasis on the primary importance of voluntary repatriation. Emphasis had been placed on the responsibility of countries of origin to accept returning nationals, forcible repatriation had been condemned and a number of speakers had cautioned against over-hasty measures to repatriate refugees before their safety and human rights could be assured. The need for international assistance in creating conditions conducive to repatriation had been stressed and several delegations had pointed to the lack of progress in the repatriation of particular caseloads as a result of resource constraints.

50. If solutions were to be sustainable, there had to be an international commitment to the rehabilitation not only of the economies of post-conflict societies, but also of institutions that ensured the rule of law and respect for human rights. International presence and monitoring had been highlighted in that connection. The Executive Committee had heard a welcome statement from the United Nations High Commissioner for Human Rights which had included an account of efforts being made to strengthen human rights field operations, particularly in the Great Lakes region and the former Yugoslavia.

51. The Executive Committee had also been privileged to hear first-hand statements by representatives of a large number of countries deeply affected by a large-scale refugee presence, together with a description of the burden placed on their socio-economic infrastructure, and environment and, in some cases, on national and regional security. Calls had been made for increased assistance and international support to offset those costs and the development by UNHCR of guidelines on refugees and the environment had been welcomed.

52. Repeated stress had been placed on the need for individual Governments and the international community to take effective preventive measures to pre-empt the conditions which caused refugee flows and to address the human rights dimensions of prevention, particularly with regard to the rights of minorities. The need for UNHCR to continue to explore innovative approaches had been mentioned and its efforts to address the specific problems of forced displacement in the Commonwealth of Independent States region had been in particular noted and welcomed.

53. UNHCR's work with internally displaced persons had been recognized as a valid and valuable part of preventive activities and the need to take account of the particular conditions of internal displacement and to secure the consent of States concerned had also been mentioned. The need to ensure complementarity of roles in both emergency response and solutions had been emphasized, with special mention by several delegations of the principle of comparative advantage. The resolution of the Economic and Social Council on the strengthening of the coordination of emergency humanitarian assistance (1995/56) had been cited as providing an important basis for further work in that regard.

54. At a time of scarce resources, a number of delegations had stressed the need to ensure greater efficiency, transparency and accountability, an important component of which was the strengthening of UNHCR's management. It was hoped that the newly created post of Assistant High Commissioner and the Inspection and Evaluation Service would be valuable tools in promoting those goals. A number of speakers had also highlighted the need to professionalize relationships with implementing partners given their increased importance in all aspects of UNHCR's work. Lastly, the steps proposed to reform the working methods of the Executive Committee had been welcomed as a means of ensuring improved governance and transparency.

PROGRAMME, ADMINISTRATIVE AND FINANCIAL MATTERS (agenda item 5)

- (a) REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1994-1995 AND OF PROPOSED PROGRAMMES AND BUDGET FOR 1996 (A/AC.96/845 (parts I, I/Add.1, II and III), 846 (parts I-VII and Part VII/Add.1) and 854)
- (b) STATUS OF CONTRIBUTIONS AND OVERALL FINANCIAL REQUIREMENTS FOR 1994 AND 1995 (A/AC.96/845/Add.1 and 849)
- (c) ADMINISTRATION AND MANAGEMENT (A/AC.96/848, 853 and Add.1 and Add.2)
- (d) ADOPTION OF THE 1996 GENERAL PROGRAMMES (A/AC.96/845 (part II) and 849)

55. Mr. WALZER (Deputy High Commissioner) said that the Executive Committee was being asked to endorse the revised but in total unchanged General Programmes target of US\$ 428.7 million for 1995 and an initial target of US\$ 445.3 million for 1996. Those targets represented priority needs in the light of what UNHCR believed it could expect in funding for General Programmes. Programme requirements would have to be kept under continuous review, taking also into account priorities as indicated by the Executive Committee and the funding levels that could actually be achieved.

56. The High Commissioner was extremely grateful for the generous donor support to date, which totalled approximately US\$ 757 million towards currently budgeted needs of some US\$ 1.3 billion for both General and Special Programmes. However, he drew the attention of the Executive Committee to certain programmes with particularly urgent funding needs, such as the Mozambique repatriation, the Horn of Africa and the Burundi/Rwanda emergency operation; the shortfall was particularly serious in the latter case as it left very little room for manoeuvre in response to increased repatriation or potential exodus. The High Commissioner appealed to donors to respond urgently with further contributions. As in the past, member Governments would be kept informed, through the inter-sessional meetings, of major developments with regard to programme requirements and the funding levels attained.

57. Discussions in the Sub-committee on Administrative and Financial Matters had centred on several operational and management issues: it had been recognized, in the follow-up to the fourth World Conference on Women, that efforts had to shift to implementation in order to allow refugee women to

benefit from the policies and guidelines established; with the very active support of Governments, there had been new achievements in improving emergency response capacities; it had also been possible to demonstrate meaningful, substantive progress in inter-agency cooperation and UNHCR saw the process initiated by Economic and Social Council resolution 1995/56 on the strengthening of the coordination of emergency humanitarian assistance as an opportunity further to develop its partnerships with sister agencies.

58. Spurred on by the recommendations of the Auditors and the comments of the Advisory Committee on Administrative and Budgetary Questions, UNHCR would renew and intensify its focus on programme management arrangements with NGOs and particularly its ability to monitor and control, which had been stressed by the High Commissioner as an important priority for the coming year. Speedier implementation of audit recommendations would receive heightened attention under procedures recently reviewed with the Under-Secretary-General for Internal Oversight Services.

59. Regarding in-house management, the High Commissioner was grateful for the support of member Governments for the new position of Assistant High Commissioner. The Sub-Committee on Administrative and Financial Matters had also had an opportunity to brief member Governments on current management initiatives aimed at a more efficient functioning of the Office. UNHCR also recognized the need to consolidate those ongoing initiatives with new ones, combining them in a comprehensive and well-structured action plan focusing on management and administrative processes, procedures and tools, a strong orientation towards cost savings, containment of growth and options for downsizing, particularly with regard to headquarters. The members of the Executive Committee would also be kept informed during the forthcoming inter-sessional meetings of progress in that area.

60. Lastly, he expressed sincere appreciation to the Chairman for his dedication in guiding the work of the Sub-Committee on Administrative and Financial Matters, the Informal Consultations on UNHCR's Budgetary Structure and the deliberations of the Working Group on Executive Committee Working Methods, whose conclusions and recommendations (EC/SC.2/75 and Corr.1 and 76) had been adopted by the Sub-Committee and were being submitted to the Executive Committee for endorsement.

61. The CHAIRMAN noted that the Sub-Committee on Administrative and Financial Matters had already adopted its report (A/AC.96/859). If he heard no objection, he would take it that the Executive Committee also wished to adopt the report.

62. It was so decided.

63. Mr. CAI Jie (China), referring to UNHCR programme assistance to Indo-Chinese refugees in China, that, during the 1970s, nearly 200,000 Indo-Chinese refugees had entered China, most of them nationals of their countries of origin where they had resided for many generations. There were now 280,000 Indo-Chinese refugees in China. The Government of China had always strictly observed the 1951 Convention and the relevant United Nations resolutions, and had also ensured the basic rights of refugees in terms of livelihood, employment, education and health care, albeit at tremendous cost.

UNHCR had provided valuable assistance in assuming that burden. Although over 10 years had passed since their arrival, many of the refugees were still living in difficulty and still needed assistance. Some of them still had relatives and property in their native land to which they were deeply attached and they were eager to return home at an early date for family reunion.

64. In its statement during the general debate, his delegation had said that it was in favour of voluntary repatriation as the best solution to the problems of Indo-Chinese refugees and that it would respect the will of the refugees and cooperate with their country of origin and UNHCR to assist voluntary repatriation.

65. When conditions were ripe, the Government of China would initiate the naturalization process for those refugees who wished to stay in China. The Government of China hoped that the international community and, in particular, the Government of the countries of origin would continue support for efforts to seek a durable solution.

66. Mr. SKOGMO (Norway), speaking on behalf of the five Nordic countries, said that the major issue in the report of the Board of Auditors (A/AC.96/853) was UNHCR's relations with its implementing partners. The report enumerated a number of incidents where implementing partners had not furnished audited accounts and audit certificates from independent audit authorities, as required, and furthermore disclosed a number of problems relating to accounting records, UNHCR's agreements with implementing partners and excessive overheads by some of the implementing partners. That was an issue of particular concern to the Nordic countries and, in that regard, the incident involving the South African repatriation programme had caused some worry. Follow-up on the various aspects of the oversight reports would therefore be an issue in the inter-sessional programme of work of the Standing Committee.

67. To overcome such serious problems and bring implementing partners into line with the recommendations of the Board of Auditors, urgent action was needed. An improved audit control system was an obvious initial measure to enhance transparency concerning implementing partners' performance. Many implementing partners, local NGOs in particular, had a rather limited background in financial management, even though they performed perfectly in the field. The Nordic countries encouraged efforts to strengthen the education of partners in that respect. Together with the new set of criteria and requirements established for implementing partners, UNHCR should possess an adequate set of tools to secure a better overall performance in keeping with its standards. In that context, he welcomed steps taken towards a more efficient and streamlined UNHCR, through the establishment of a modernized budget structure, new working methods and enhanced governance, as agreed on by the Sub-Committee on Administrative and Financial Matters.

68. Mr. WALZER (Deputy High Commissioner) said that the auditors' findings would receive priority attention and that the Secretariat would report back to the Committee at its inter-sessional meetings.

69. The CHAIRMAN invited the Committee to consider the various proposals relating to General Programmes summarized in document A/AC.96/845/Part I and amended during the debate. He read out the text of the draft decision:

"General decision on programme, administrative and financial matters

The Executive Committee

Confirms that the activities proposed under General and Special Programmes as set out in document A/AC.96/846/Parts I-VII have been found, on review, to be consistent with the Statute of the Office of the High Commissioner (General Assembly resolution 428 (V)), the High Commissioner's 'Good Offices' functions as recognized, promoted or requested by the General Assembly, the Security Council, or the Secretary-General, and the relevant provisions of the Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees (A/AC.96/503/Rev.5);

Requests the High Commissioner, within the resources available, to respond flexibly and efficiently to the needs currently indicated under 1996 General and Special Programmes, which are tentatively estimated at \$1.1 billion, and to any other needs that might arise, bearing in mind the Statute of the Office and the priority to be accorded to statutory activities, and the relevant provisions of the Financial Rules for Voluntary Funds;

Furthermore approves the revised 1995 General Programmes budget amounting to \$428,732,500, as detailed in document A/AC.96/845 (Table III), and notes that the present estimates for 1995 General and Special Programmes amount to some \$1.3 billion;

Also approves the country/area programmes, Other Programmes and the Headquarters budgets under the 1996 General Programmes, amounting to \$357,434,900, as well as \$25,000,000 for the Emergency Fund, \$20,000,000 for the Voluntary Repatriation Fund and a Programme Reserve of \$42,892,100 (representing 12 per cent of programme activities, all of which are detailed in document A/AC.96/845 (Table III), and which constitute a 1996 total General Programmes budget of \$445,327,000, and authorizes the High Commissioner, within this approved level, to effect adjustments in project, country/area programme, Other Programmes and the Headquarters budgets, as may be required by changes affecting the refugee/returnee programmes for which they were planned;

Furthermore requests UNHCR to allocate the financial and human resources required for the implementation of the recommendations of the Working Group on Refugee Women and Children adopted by the Executive Committee at its forty-fifth session;

Furthermore requests the High Commissioner to keep the Executive Committee regularly informed on developments under both General and Special Programmes, including the uses made, in accordance with their established criteria, of the Emergency Fund, the General Allocation for Voluntary Repatriation (henceforth to be known as the Voluntary

Repatriation Fund) and the Programme Reserve, and on progress in implementing UNHCR policies under General and Special Programmes;

Furthermore notes the Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 1994 (A/AC.96/853), the report of ACABQ on UNHCR Activities financed by Voluntary Funds: report for 1994-1995 and proposed budget for 1996 (A/AC.96/854), the report of the High Commissioner on the work of UNHCR's Inspection Evaluation Service (A/AC.96/852), and requests to be kept regularly informed on the measures taken to address the recommendations and the observations raised in these various oversight documents;

Also expresses serious concern about the observations of the Board of Auditors in its report (A/AC.96/853), especially those on management issues, and in particular those relating to continuing problems in regard to the lack of adequate managerial control by UNHCR in regard to programmes implemented by its partners, and asks that the matters raised in the report be reviewed in a systematic fashion by the Standing Committee;

Requests the High Commissioner to initiate a process of informal technical consultations on the question of overhead costs for non-governmental implementing partners, particularly headquarters costs, with a view to having an initial progress review at the time of the first session of the Standing Committee in 1996, and authorizes the Standing Committee, if it sees fit, to decide on this issue in the course of its deliberations during 1996;

Furthermore urges Member States and concerned Governments and bodies, in the light of the extensive needs to be addressed by the Office of the High Commissioner, to respond generously and in a spirit of international solidarity and burden-sharing, and in a timely manner, to her appeals for resources;

Notes the intention of the High Commissioner, in her efforts to improve conditions of service in the most difficult duty stations (categories D and E), to extend the provisions of the Fund for International Staff Housing and Basic Amenities as of 1996 to any duty station within these categories, including capital cities, and approves the use of Special Programme funds to replenish the Fund for International Staff Housing and Basic Amenities, to the extent that international staff benefiting from the provisions of the Fund are a charge to a particular Special Programme;

Approves the transfer of an additional amount of \$150,000 from the 1995 Programme Reserve, and an amount up to \$1,200,000 from the 1996 Programme Reserve, to the Fund for International Staff Housing and Basic Amenities;

Approves the creation of the post of Assistant High Commissioner (Policy, Planning and Operations) at the Assistant-Secretary-General

level, to be funded from voluntary funds, and related staffing (an executive assistant at the P-4 level and a secretary at the G-5 level);

Approves the proposal set out in document EC/SC.2/81: Education Account (para. 4, option 3), whereby the Office of the High Commissioner would be allowed, exceptionally, to charge to General Programmes the expenditure still to be incurred in relation to remaining tertiary level students, and which cannot be met through the Education Account."

70. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the draft decision.

71. It was so decided.

72. The CHAIRMAN invited the Chairman of the UNHCR Staff Council to address the Committee.

73. Mr. ISHAK (Chairman of the UNHCR Staff Council) said that the UNHCR staff of 5,000 persons including 4,000 serving in more than 200 offices around the world and 1,000 working in four separate headquarters buildings in Geneva, was more than twice the size the Executive Committee in 1990 had thought should be the maximum number UNHCR would require to fulfil its mandate. They should truly be regarded as a valuable asset to the international community, particularly at a time when the number of people uprooted by persecution, war and conflict was now approaching 50 million and was increasing. Therefore, while it was legitimate for the donor community to scrutinize expenditures and reduce costs, serious and careful consideration should be given to the issue of optimum staffing needs before any plan for downsizing UNHCR was made. While the Staff Council was deeply concerned by the overall financial crisis at the United Nations, it respectfully urged the Executive Committee not to base decisions on such matters solely on numbers.

74. General service staff at headquarters and local staff in the field, who together represented some 70 per cent of the human resources of UNHCR, were the backbone and the institutional memory of the organization. Their efficiency was critical to the smooth running of UNHCR's offices around the world. The conditions of service of international staff were governed by the "common system" methodologies. Unfortunately, those methodologies were not sufficiently geared to the needs of field-oriented organizations such as UNHCR, particularly in respect of those staff members whose careers required continual mobility and who often had to work under hazardous, insecure or unsafe conditions, often separated from their families. Those special field conditions must be taken into account when studying UNHCR's staffing requirements. Also of particular importance was the question of the classification level of UNHCR posts in the field. Such posts should carry a level of responsibility and authority which recognized the value of direct exposure to, and immediate decision-making required in, refugee situations. That would also result in a shift towards a more functional and task-oriented structure.

75. In the past year, the staff had continued to be very concerned by the worsening situation of refugees and had accordingly organized a peaceful demonstration in front of the Palais des Nations in July 1995, along with

other humanitarian workers and their families, as a public protest against those who deliberately killed and maimed civilians and to show support and encouragement for those who were trying to halt war and violence. That was the second demonstration of its type, the first having taken place in April 1994, when the staff and the senior management had jointly organized a silent demonstration to condemn "political indifference" towards the killing of and attacks on humanitarian workers. The staff had also decided to donate one day's salary as a symbolic gesture of their shared commitment to alleviate the misery of refugees, resulting in over 200,000 Swiss Francs being donated to the High Commissioner for the children of Rwanda.

76. Turning to the issue of staff security, he said that the Council fully supported the High Commissioner's efforts to ensure that the application of the Convention on the Safety of United Nations and Associated Personnel was automatically and equally extended to all United Nations and associated personnel and that activities aimed at reducing the security risks for the staff, such as communication systems, the development of security training and stress management programmes, were excluded from any budgetary restrictions resulting from the financial crisis. UNHCR, with the help of the Staff Counsellor, was undertaking pioneering work in the area of "stress management", an area which required additional inputs and deserved attention, as it had direct bearing on the welfare of the staff.

77. The staff Council thanked the Director of the Division of Human Resources Management, who would be leaving UNHCR shortly, for the valuable efforts and contribution he had made since his appointment two years previously. It was also important to ensure that the development and implementation of the career management system (CMS) would not be affected by the change in director. That system was the appropriate way to go about creating a culture conducive to high staff morale and to improving efficiency. The Staff Council had, however, been concerned that the views of the staff channelled through the system were not being adequately reflected in the project design. The Council had recently brought its concerns about the CMS to the attention of the High Commissioner and the Deputy High Commissioner, who had directed that the issue should be kept under close review.

78. With a few exceptions, the Council had been fully satisfied with the level of cooperation it had received from the Division when dealing with issues of concern to the staff. It expected that instances of abuse or misuse of authority would be very firmly dealt with and, in that regard, attached great importance in its new work programme to the need for the further strengthening of the joint staff-management machinery. The role of the Staff Council and the Joint Advisory Committee in promoting the needed improvements in the conditions of the 5,000 women and men who formed the Office had been a key factor in improving the overall organizational performance with a true impact on the quality of UNHCR's services to refugees.

The meeting rose at 12.50 p.m.